



# **Personnel Guidelines**

**July 18, 2009**



June 2009

Dear City of Louisville Employee:

Our Mission is to provide basic municipal services in an efficient and cost-effective manner, to maintain the qualities that make Louisville a unique community by protecting and enhancing the City's natural, cultural, and recreation resources, and to preserve the City's scenic, historic, and aesthetic features. While pursuing this mission, the City of Louisville strives to be an Employer of Choice by:

- Supporting an organizational culture that values and rewards ethical behavior, teamwork, reasonable risk taking, fun, fairness, efforts to continuously improve and celebrate successes,
- Engaging in meaningful work that improves the quality of life for residents, businesses and visitors in Louisville; providing enough resources to succeed at that work; and recognizing the contributions that each individual makes to help make a difference,
- Promoting open communications and constructive dialog to indentify problems, consider diverse perspectives, develop effective solutions and ensure that everyone feels it is safe and worthwhile to speak up,
- Striving to maintain work/Life Quality by getting the job done while balance work and other commitments, allowing flexible scheduling when that is possible in considering the needs of individuals in different stages of life,
- Facilitating Career Development by providing regular coaching and constructive feedback, encouraging personal development plans, and providing diverse training opportunities including cross training, mentoring, site visits, workshops and tuition reimbursement,
- Maintain a competitive Rewards Package including salary, benefits and reasonable job security.

These are high aspirations! Fulfilling our mission and being an Employer of Choice only happens if every one of us participates and contributes our best efforts. As the City Manager I'm glad you have high expectation of me. I find that very motivating. I also have high expectation of you. I expect you to actively listen to others and to share your ideas; be creative, innovative and take reasonable risks; if there is a problem or an opportunity to improve things, speak up, tell your coworkers and your supervisor what the issue is and what actions you think everyone should take and what you think the outcome will be; keep your life in balance (because you will be happier at home and more productive at work); support others; and don't say or do anything you wouldn't feel comfortable defending on the front page of the newspaper or on the evening news. Doing our best to fulfill these expectation will lead to great things. Thank you for helping keep Louisville a great place to live, work, play and learn!

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# **Section 1**

## **INTRODUCTION**



## **SECTION 1 – INTRODUCTION**

### **Active Problem Solving** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Open and constructive communications and active problem solving are essential to continuous improvement. Any employee who has a problem with or concern about their job, work environment, a co-worker, a citizen, a safety issue, or anything else that affects their employment, should discuss it with his/her supervisor, the Department Director, or the Human Resources Manager, as the employee deems appropriate. The City will not tolerate retaliation against any employee who in good faith identifies a problem or concern and suggests how they think it should be solved.

The City Manager, Department Directors, Managers and Supervisors all strive to communicate the City's philosophy and goals that affect employees. At the same time, we want employees to tell their supervisors how they feel about these philosophies and goals. It is important that we receive feedback from employees to formulate workable plans, policies, and events for City of Louisville employees.

We value employee input in solving problems. To encourage this open two-way exchange, City Management will communicate information through meetings and casual discussions, City policy and procedure manuals, City publications, employee meetings, departmental meetings, as well as individual meetings between an employee and his/her supervisor. The City's website will also help to keep employees informed about organizational operations and changes, policies, people, and events.

### **Code of Ethics (City of Louisville Home Rule Charter)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

## **ARTICLE 5**

### **OPEN GOVERNMENT AND ETHICS**

#### **Section 5-1. Executive Sessions - General.**

(a) It is the policy of the City that the activities of City government should be conducted in public to the greatest extent feasible in order to assure public participation and enhance public accountability.

(b) The City Council may hold an executive session only at a regular or special

meeting and for the sole purpose of discussing one (1) or more of the topics set forth in Section 5-2.

(c) No adoption of any proposed policy, position, resolution, rule, regulation, or formal action, and no informal or "straw" vote, shall occur at any executive session.

(d) The Council may, by ordinance, establish other procedures and requirements pertaining to executive sessions.

### **Section 5-2. Executive Sessions - Authorized Topics.**

Topics which may be discussed in an executive session shall be limited to the following:

(a) Matters where the information being discussed is required to be kept confidential by federal or state law;

(b) Personnel matters involving the dismissal, demotion, discipline or review of the performance of employees directly appointed by the Council, consideration of complaints or charges against employees appointed directly by the Council, and other personnel matters only upon request of the City Manager or Mayor for informational purposes only;

(c) Consideration of water rights and real property acquisitions and dispositions by the City, but only as to appraisals and other value estimates and strategy for the acquisition or disposition of such rights or property; and

(d) Consultation with an attorney representing the City with respect to pending litigation. Pending litigation shall include cases in which a lawsuit is actually commenced, and any situation where the person requesting the executive session believes in good faith that a lawsuit may result. The Council may discuss settlement strategies in an executive session.

### **Section 5-3. Executive Sessions - Procedures.**

(a) A request for an executive session may be made only by a member of the Council, the City Attorney or other attorney representing the City, the Municipal Judge, or the City Manager.

(b) The request to go into an executive session shall be made in an open session at a regular or special meeting of the Council. The requesting party shall give as detailed and specific a statement as possible, using his or her best judgment to avoid disclosure of any confidential matters, as to the topic or topics to be discussed and the reasons for requesting an executive session.

(c) The executive session shall only be held upon an affirmative vote of two-thirds (2/3) of the entire Council. A separate vote shall be held on each topic requested to be considered in the executive session. Following the vote and immediately prior to retiring into the executive session, the Mayor shall announce the topic or topics of the executive session.

(d) Immediately upon retiring into the executive session, the requesting party shall explain in detail the nature of the topic and the reasons for requesting the executive session.

At this time, those in attendance may discuss the propriety of the executive session.

(e) Before any discussion on the merits of any topic in the executive session, the City Attorney or other attorney representing the City shall give an opinion as to the propriety of the executive session and shall provide guidelines as to the limitations that apply to the discussion.

(f) At any time, any participant may object to the continuation of the executive session. Upon the making of such objection, all discussion shall cease and the Council shall reconvene in an open session for the purpose of determining the propriety of continuing the executive session. An affirmative vote of two-thirds (2/3) of the entire Council shall be required to continue the executive session.

(g) Upon completion of the executive session, the Council shall reconvene in an open session. The person who requested the executive session shall provide as detailed an explanation as allowed by law without disclosing any confidential matter or any matter which would adversely affect the interests of the City, and shall announce what procedure, if any, will follow from the executive session.

(h) Discussions that occur in executive session shall be recorded, and access to the record shall be provided, in the manner and to the extent provided in the State statutes concerning open meetings and the State statutes concerning open records.

#### **Section 5-4. Executive Sessions - State or Federal Law.**

To the extent matters addressed in this article are also addressed in any applicable provisions of state or federal law, it is the intent of this Charter that the provisions which best preserve the principles of open government and public participation in the affairs of the City shall prevail.

#### **Section 5-5. Public Records.**

(a) It is the policy of the City that the right to inspect the City's records, and to obtain copies of records at a reasonable cost, should be preserved to the maximum extent feasible.

(b) The City's records shall be open for inspection by any person in accordance with the State statutes concerning public records and criminal justice records. The City shall provide access to records in alternative formats when practicable.

(c) The City Manager shall prepare a procedure for timely access to the City's records. The procedure shall be consistent with the State statutes concerning public records and criminal justice records, and shall include a schedule of standard fees for the production of records.

#### **Section 5-6. Code of Ethics - Declaration of Purpose.**

(a) Sections 5-6 through 5-17 shall be known as the Code of Ethics.

(b) Those entrusted with positions in the City government must commit to adhering to the letter and spirit of the Code of Ethics. Only when the people are confident that those in positions of public responsibility are committed to high levels of ethical and moral conduct, will they have faith that their government is acting for the good of the public. This faith in the motives of officers, public body members, and employees is critical for a harmonious and trusting relationship between the City government and the people it serves.

(c) While it is critical that persons holding positions in the City government follow both the letter and spirit of the Code of Ethics, it is equally important that they strive to avoid situations that may create public perceptions of violations of the Code of Ethics. Perceptions of such violations can have the same negative impacts on public trust as actual violations.

(d) The Code of Ethics is intended to foster public trust by defining the parameters of honest government and by prohibiting the use of public office for private gain.

(e) To the extent matters addressed in the Code of Ethics are also addressed in state or federal law, it is the intent of the Code of Ethics that the more restrictive provisions shall control.

#### **Section 5-7. Code of Ethics - Definitions.**

For purposes of the Code of Ethics only, the following words shall have the following meanings:

(a) "Business entity" means:

(1) Any corporation whether for profit or nonprofit, governmental entity, business, trust, limited liability company, partnership, association, or other legal entity; and

(2) Any other form of business, sole proprietorship, firm, or venture, carried on for profit.

(b) "Contract" means any arrangement or agreement pursuant to which any material, service, or other thing of value is to be furnished for a valuable consideration or is to be sold or transferred.

(c) "Domestic partnership" means an exclusive committed relationship between two (2) unmarried adult persons who are unrelated by blood, maintain a mutual residence, and share basic living expenses.

(d) "Interest" means a pecuniary, property, or commercial benefit, or any other benefit the primary significance of which is economic gain or the avoidance of economic loss, but does not include:

(1) Any matter in which a similar benefit is conferred to all persons or property similarly situated nor does it include the ownership or control of shares of stock; or

(2) Any beneficial interest in shares of stock, the aggregate amount of which constitutes one (1) percent or less of the shares of stock of the business entity then

outstanding.

(e) "Official action" means any legislative, administrative, or quasi-judicial act of any officer, public body member, or employee, or of the City Council or any public body of the City.

(f) "Public body" means any board or commission, or any task force or committee, except any task force or committee for which the City Council determines, in the resolution establishing it, that Sections 5-6 through 5-17, or such portions thereof as selected by the Council, shall not apply because the public interest would be served by the participation of persons who would otherwise have an interest in the matters to be addressed by the task force or committee.

(g) "Relative" means any person related to an officer, public body member, or employee by blood, marriage, or domestic partnership, in any of the following degrees: parents, spouse, children, brothers, sisters, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, grandchildren, and children-in-law. A separation between spouses shall not be deemed to terminate relationships described herein.

#### **Section 5-8. Code of Ethics - Related persons and entities; duration of interest.**

(a) An interest of the following persons and entities shall be deemed to constitute an interest of the officer, public body member, or employee for purposes of the requirements of Section 5-9 and Section 5-10:

(1) Any relative of the officer, public body member, or employee; or

(2) Any business entity in which the officer, public body member, or employee is an officer, director, employee, partner, principal, member, or owner (other than stockholder);

(3) Any business entity in which the officer, public body member, or employee owns or controls shares of stock, or any beneficial interest in shares of stock, the aggregate amount of which constitutes more than one (1) percent of the shares of stock of the business entity then outstanding; or

(4) Any business entity in which the officer is an officer, director, employee, partner, principal, member, or owner (other than stockholder), where the business entity is seeking to advance its financial benefit through an official action of the City, if the officer would be directly or indirectly involved in making the decision.

(b) For purposes of the Code of Ethics, participation in a stock mutual fund shall not be considered an interest in any business entity in which the mutual fund owns or controls shares of stock.

(c) For purposes of the Code of Ethics, the parties to a domestic partnership shall be treated as the equivalent of spouses, and the domestic partnership shall be treated as the equivalent of marriage.

(d) For purposes of the Code of Ethics, an officer shall be deemed to continue to

have an interest in a business entity for a period of one (1) year after the officer's actual interest has ceased.

#### **Section 5-9. Code of Ethics - Standards.**

(a) The following requirements shall constitute reasonable standards and guidelines for the ethical conduct of officers, public body members, and employees.

(b) No officer, public body member, or employee who has the power or duty to perform, or has any influence over, an official action related to a contract, shall:

(1) Have or acquire an interest in a contract between a business entity and the City, unless the City's procedures applicable to the solicitation and acceptance of such contract are followed and unless the officer, public body member, or employee has complied with the provisions of Section 5-10;

(2) Have an interest in any business entity which is a party to the contract with the City, unless the officer, public body member, or employee has complied with the provisions of Section 5-10;

(3) Represent or appear before the City Council, any public body, or any other officer, public body member, or employee, on behalf of any business entity which is a party to the contract with the City;

(4) Have solicited or accepted present or future employment with any business entity which is a party to a contract with the City, if the offer or acceptance of such employment is related to or results from any official action performed by the officer, public body member, or employee with regard to the contract; or

(5) Solicit, accept, or be granted a present or future gift, favor, discount, service or thing of value from or for any person involved in the contract. Nothing in this paragraph shall prohibit any officer, public body member, or employee from accepting an occasional nonpecuniary gift of fifteen dollars (\$15.00) or less in value, or from accepting an award, publicly presented, in recognition of public service. However, no officer, public body member, or employee shall accept a nonpecuniary gift of any value if the gift is or may be in any way associated with a contract that is or may be one for which the officer, public body member, or employee has the power or duty to perform an official action.

(c) No officer, public body member, or employee shall be directly responsible for the hiring, appointment, retention, or supervision of, or influence or attempt to influence the hiring, appointment, supervision, or retention by the City of, any relative of the officer, public body member, or employee.

(d) No officer, public body member, or employee shall influence or attempt to influence the compensation, benefits, or other terms and conditions of City office or City employment applicable to a relative of the officer, public body member, or employee.

(e) No relative of an officer, public body member, or employee shall be hired as an employee unless the City's personnel procedures applicable to such employment have been

followed.

(f) No officer, public body member, or employee shall use for personal or private gain, or for any other personal or private purposes, any information which is not available to the public and which is obtained by reason of his or her position with the City, or disclose any such information except as required by law or for City purposes.

(g) No employee shall engage in or accept any employment or service, other than employment by the City, if such employment or service reasonably would tend to impair the employee's independence of judgment in the performance of the employee's duties. This restriction shall not be construed to prohibit any other restrictions or prohibitions on outside employment applicable to an employee.

(h) Neither the City Manager, nor any employee who is the head of a City department, shall be appointed to serve as a member of a public body.

(i) No officer, public body member, or employee shall request or direct the use of an employee's working time for the City, and no employee shall use his or her working time for the City, for personal or private purposes.

(j) No officer, public body member, or employee shall request, direct, or permit the personal or private use of any City vehicle or City equipment except in the same manner and under the same circumstances applicable to any person who is not an officer, public body member, or employee, unless such use will substantially benefit the City.

(k) No officer, public body member, or employee shall request, or grant to any person, any special consideration, treatment, or advantage beyond that which is available to every other person in similar circumstances or need.

(l) No officer, public body member, or employee shall, at any time within two (2) years after termination from the City:

(1) Appear on behalf of the officer's, public body member's, or employee's interest, or on behalf of the interest of any other person, before the City Council, any public body, or department of the City, in relation to any matter concerning which the officer, public body member, or employee performed an official act; or

(2) Represent the interest of the officer, public body member, or employee, or of any other person, in any other matter before the City Council, any public body, or department of the City, without disclosing to the City the officer's, public body member's, or employee's prior relationship to the City and present relationship to the interest.

(m) Except as provided in Subsection (n), no officer, public body member, or employee shall appear before the City Council or any public body on behalf of any business entity.

(n) A member of a public body may appear on behalf of a business entity before the City Council or before a public body other than the public body of which he or she is a member, so long as the appearance does not concern any matter that has or may come

before the public body of which he or she is a member.

(o) Nothing in the Code of Ethics shall preclude an officer, public body member, or employee from appearing before the City Council, any public body, or any other officer, public body member, or employee on behalf of any person which is not a business entity, so long as the appearance does not concern the officer's, public body member's, or employee's interest.

(p) No officer or public body member shall offer or promise to give his or her vote or influence in favor of or against any proposed official action in consideration or upon condition that any other officer, public body member, will promise or assent to give his or her vote or influence in favor of or against any other proposed official action.

(q) No officer shall become a City employee at any time during the term of office, or for two (2) years after leaving office.

(r) No officer shall acquire or seek to acquire any real estate or interest therein if the officer knows, or reasonably should know, that the Council is evaluating, proposing, or pursuing the acquisition of such real estate or interest therein. The officer's knowledge shall be presumed if the minutes or other record of any Council meeting or study session reflect any discussion of the same, or if the officer was present at any executive session at which the same was discussed. The prohibitions of this subsection shall continue to apply until after the Council has abandoned any effort to acquire such real estate or interest therein, and such abandonment has been reflected in the minutes or other record of a Council meeting.

**Section 5-10. Code of Ethics - Disclosure of Interest; Non-Participation in Discussion or Action.**

(a) The procedures of this section shall be followed by:

(1) Each officer who has an interest in, or whose interest would be affected by, any proposed official action before the City Council; and

(2) Each public body member who has an interest in, or whose interest would be affected by, any proposed official action before the public body of which the person is a member.

(b) Each officer or public body member, when required to follow this section, shall:

(1) Immediately and publicly disclose the nature and extent of the interest;

(2) Not participate in any discussion or decision concerning the proposed action; and

(3) Leave the room where the discussion or decision is taking place during the time the proposed action is being discussed and the decision is being made.

(c) With respect to any official action in which an officer, public body member, or employee has an interest, the officer, public body member, or employee shall not:



(1) Participate in any discussion with the City Council, any public body, or any other employee, concerning such an action to be taken by the City Council, the public body, or the other employee; or

(2) Attempt to influence publicly or privately, the City Council, any public body, or any other employee, in connection with an official action described in Paragraph (1).

(d) With respect to any official action that would affect the interest of a competitor of a business entity in which an officer, public body member, or employee has an interest, the officer, public body member, or employee shall not:

(1) Participate in any discussion with the City Council, any public body, or any other employee, concerning such an action to be taken by the City Council, the public body, or the other employee; or

(2) Attempt to influence publicly or privately, the City Council, any public body, or any other employee, in connection with an official action described in Paragraph (1).

#### **Section 5-11. Code of Ethics - Filing of Financial Disclosure Statement.**

(a) Within three (3) working days after a person has filed a nomination petition or write-in affidavit of intent for the office of Mayor or Councilmember, and within five (5) working days after a person has been appointed to fill a vacancy in such office, the person shall complete, sign, and file with the City Clerk a disclosure statement that contains:

(1) The person's employer and occupation and the nature of any income in excess of one thousand dollars (\$1,000.00) per year per source, including without limitation, capital gains whether or not taxable, dividends, interest, wages, salaries, rents, and profits;

(2) The name, location, and nature of activities of any business entity with holdings of real or personal property or with business dealings in Boulder County, in which the person has any interest, and the nature of the interest;

(3) The location of any real property within Boulder County in which the person has an interest or, if the person has a controlling interest in an entity or enterprise disclosed pursuant to Paragraph (2), in which the controlled entity or enterprise has any interest and the nature of such interest;

(4) A sworn or verified statement signed by the person, under penalty of perjury, stating that to the best of the person's knowledge, information, and belief, the person has provided, accurately and completely, all of the information required by the disclosure form in compliance with the Code of Ethics. The statement shall contain:

(A) An acknowledgment that, for the purposes of Sections 5-9 and 5-10, the person is deemed to have an interest in his or her own financial affairs, and in that of the person's spouse and other relatives as specified in the Code of Ethics; and

(B) An acknowledgment that, for the purposes of Sections 5-9 and 5-10, the person understands that he or she must disclose such an interest pursuant to Section

5-10 and comply with the non-participation provisions thereof, and that it is a violation of the Code of Ethics to fail to file the statement within the time required herein; and

(C) Such additional information as the person making the disclosure desires.

(b) Except as specifically provided herein, the form and content of the disclosure statement referred to in Subsection (a) shall be established by resolution of the City Council.

(c) Notwithstanding any other provision of this section, no candidate, officer, or public body member shall be required to disclose any confidential relationship protected by law.

(d) By no later than September 10 of each year, each officer shall file an amended disclosure statement with the City Clerk, or notify the City Clerk in writing that the officer has no change of financial condition regarding the disclosed items since the previously filed disclosure statement.

#### **Section 5-12. Code of Ethics - Enforcement.**

(a) The provisions of Sections 5-9 through 5-11 shall be enforced as follows:

(1) The City Prosecutor shall have the primary responsibility for administration of said provisions.

(2) Any person who believes that an officer, public body member, or employee has violated any of said provisions and wishes to initiate proceedings on such alleged violations shall file a written complaint with the City Prosecutor. The complaint shall state in detail the facts of the alleged violation, shall specify the section or sections of the Code of Ethics alleged to have been violated, and shall contain a sworn or verified statement signed by the complainant and stating under penalty of perjury that the information in the complaint is true and accurate, and that the complaint is filed in good faith and not out of malice or any other improper motive or purpose. Any complaint which does not contain such a signed statement shall be returned forthwith to the complainant without action.

(3) If the complaint is made against an officer or public body member, within ten (10) days after receipt of the complaint the City Prosecutor shall forward a copy of the complaint to the officer or public body member against whom the complaint is made, and to an advisory judge referred to in Section 5-13. The City Prosecutor shall request the advisory judge to appoint a qualified disinterested attorney to serve as special prosecutor. If, within ten (10) days after the request, the advisory judge has not appointed a special prosecutor, the City's municipal judge shall appoint a qualified disinterested attorney to serve as special prosecutor. The reasonable expenses and fees of an advisory judge making such an appointment and of the attorney serving as special prosecutor shall be paid by the City. The attorney recommended or appointed pursuant to this paragraph shall serve as special prosecutor for purposes of investigation and action on the complaint, and shall take such actions concerning the complaint as are consistent with the Code of Ethics, the Colorado municipal court rules of procedure, and the prosecutor's ethical responsibilities. Before completing the investigation, the special prosecutor shall provide the officer or public body

member against whom the complaint is made an opportunity to provide information concerning the complaint.

(4) If the complaint is against an employee, the City Prosecutor shall investigate the complaint and shall take such actions concerning the complaint as are consistent with the Code of Ethics, the Colorado municipal court rules of procedure, and the prosecutor's ethical responsibilities. Within ten (10) days after receipt of the complaint the City Prosecutor shall forward a copy of the complaint to the employee against whom the complaint is made and, before completing the investigation, shall provide the employee an opportunity to provide information concerning the complaint.

(b) A person commits false reporting of a complaint under this section if:

(1) The person makes a complaint of a violation under Sections 5-9 through 5-11 or knowingly causes the transmission of a complaint to the City Prosecutor of such a violation when the person knows that the violation did not occur; or

(2) The person makes a complaint or knowingly causes the transmission of a complaint to the City Prosecutor pretending to furnish information relating to a violation of Sections 5-9 through 5-11 when the person knows that he or she has no such information or knows that the information is false.

(c) A person who is convicted of false reporting of a complaint under this section shall be punished as provided in Section 16-7 of this Charter.

### **Section 5-13. Code of Ethics - Advisory Opinions.**

(a) The municipal judge shall maintain the consent of one (1) or more judges of municipalities other than the City, to provide advisory opinions with respect to the applicability of Sections 5-9 through 5-11. The names of such advisory judges shall be provided to the City Council, the City Manager, and the City Attorney. The reasonable expenses and fees of an advisory judge providing such an opinion shall be paid by the City.

(b) If any officer, public body member, or employee is uncertain as to the applicability of Sections 5-9 through 5-11 to a particular situation, or as to the definition of terms used in said sections, the officer, public body member, or employee may apply in writing to the City Council, Mayor, or City Manager for an opinion from an advisory judge pursuant to this section, and the City Council, Mayor, or City Manager may submit an application to the advisory judge for procurement of an opinion. Any officer or public body member may apply directly to an advisory judge for an opinion. The application shall state in detail the applicable facts and the section or sections of the Code of Ethics concerning which the opinion is requested.

(c) Any person who requests and acts in accordance with an advisory opinion issued pursuant to this section shall not be subject to any penalties for such action under the Code of Ethics, unless material facts were omitted or misstated in the request for the advisory opinion.

(d) An opinion rendered by an advisory judge pursuant to this section shall be disclosed to the public by posting, unless the advisory judge who issued the opinion determines it in the best interest of the City to delay such posting, in which case the opinion shall be posted as soon as the judge determines that the best interest of the City will no longer be harmed by public disclosure of the opinion.

#### **Section 5-14. Code of Ethics - Violations - Penalties.**

An officer, public body member, or employee who is convicted of a violation of any of the provisions of Sections 5-9 through 5-11 shall be punished as provided in Section 16-7 of this Charter.

#### **Section 5-15. Code of Ethics - Violations - Voiding of Contract.**

Any contract which was the subject of any official action of the City in which there was or is an interest prohibited by the Code of Ethics shall be voidable at the option of the City, if legally permitted. Where the City Attorney determines that the public interest may best be served by not voiding such contract, it may be enforced and an action or proceeding may be brought against any officer, public body member, or employee in violation of the provisions of the Code of Ethics for damages in an amount not to exceed twice the damages suffered by the City or twice the profit or gain realized by the officer, public body member, or employee, whichever is greater.

#### **Section 5-16. Code of Ethics - Violations - Injunction.**

The City Prosecutor shall have the power, where a violation of the provisions of the Code of Ethics is threatened or has occurred, to bring a civil action or proceeding at law or in equity for a judgment enjoining any violation of the provisions of the Code of Ethics.

#### **Section 5-17. Code of Ethics - Distribution.**

The City Clerk shall cause a copy of the Code of Ethics, and any forms required for compliance with the Code of Ethics, to be distributed to each officer, public body member, and employee of the City within twenty (20) days after the adoption of the Charter, and to each officer, public body member, and employee elected, appointed, or hired thereafter, before entering into any duties with the City, and to each candidate for elective office at the time the candidate obtains a nomination petition. In addition, the City Clerk shall cause a copy of any amendment to the Code of Ethics to be distributed to each officer, public body member, and employee of the City within twenty (20) days after the enactment of the amendment.

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## **Employee Relations Philosophy**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

It is in the spirit of mutual cooperation and communication that the City of Louisville makes the following pledges:

- to provide a safe working environment.
- to maintain competitive wages and benefits within the City's ability to pay.
- to welcome employee input, ideas, and constructive suggestions.
- to work together with trust and respect, through one-on-one contact and communication, with no need for third party representation.
- to encourage the highest quality work force by providing professional growth and career development through training, education, and internal promotions.
- to keep all employees informed of City events and changes affecting them and their families.
- to promote the best quality of service for all, because the success of our City reflects and depends upon the happiness and satisfaction of our citizens, customers, and visitors.

Each of us, as an employee, is responsible for:

- working safely, efficiently, and giving our best effort.
- regular attendance.
- cooperating with fellow employees openly and honestly to achieve the best results.
- constructive participation in the operation of the City by contributing individual ideas and becoming personally involved as opportunities arise.
- providing the highest possible service to everyone at every opportunity.

## **Equal Employment Opportunity**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

It is the City's responsibility to ensure employees, and all potential employees, are evaluated only on the basis of qualifications and ability, without regard to age, sex, race, color, religion, national origin, disability, or veteran status. Although this is considered a City responsibility, each employee must take an active part to put these principles into practice in our daily work environment and in the relationships with the community served as well as with coworkers.

It is the City's firm conviction that equal opportunity will contribute to the success of the City, its employees, and the community. Employees are urged to contact the Human

Resources Office immediately if they feel there is a violation of this policy. The matter will be fully investigated and, if appropriate, immediate action taken. Where practical, the employee's identity will be kept confidential.

### **Organization Charts** ☒

The City of Louisville is organized in a Council-Manager form of government which combines the strong political leadership of elected officials with the strong managerial and professionally trained experience of an appointed City Manager. The City Manager is hired to oversee the delivery of public services to the community. The City of Louisville is organized into seven distinctive departments as a means of providing those services to the community. The seven departments are as follows:

- City Manager's Office
- Finance and Information Services
- Library
- Parks & Recreation
- Planning & Building Safety
- Police
- Public Works

For more details, the visual organizational charts for the City of Louisville can be found under Appendix B in this handbook.

### **Protection From Reprisal** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Employees are protected from reprisal for the lawful disclosure of information which is believed to be evidence of the following:

- Violation of any law, rule, policy or regulation;
- Mismanagement, a substantial waste of funds, abuse of authority or substantial and specific danger of public health or safety.

Any such disclosure should be submitted directly to a supervisor, a Department Director, the Human Resources Manager, or the City Manager for investigation and may be submitted verbally or in writing. Where practical, an employee's identity will be kept confidential. At the same time, employees are expected to respect the confidentiality of others involved in the situation.

## **Scope of Personnel Guidelines**

### *Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The Personnel Guidelines, sometimes referred to as the “handbook” is intended to provide employees with guidelines about the City’s rules and policies in effect at the time of publication and supersedes previously published City of Louisville Employee Handbooks. Its purpose is to foster a better workplace during employment and provide information about job responsibilities as an employee of the City of Louisville. It is also designed to try and answer questions concerning work at the City.

The handbook does not constitute an express or implied contract of employment.

While the City hopes to continue the benefits and policies outlined in this handbook, it reserves the right to change, modify, eliminate or add to any and all of the provisions herein without prior notice to employees. Because all of the terms and conditions of employment cannot be set forth in such a document, this handbook is not all inclusive. If there is a question about a particular section or about the City’s policy on a given subject not mentioned in this handbook, please talk to a supervisor or to a representative from the Human Resources Staff.

This handbook applies to all employees of the City, except the following:

- The Mayor and members of City Council
- Municipal Judge
- City Attorney
- City Manager
- Prosecuting Attorney;
- And persons engaged by the City on an independent contractor basis.

Efforts were made to address issues that are relevant to all employees, although some sections are specific only to certain groups. Some policies may not apply or may differ for temporary employees, seasonal employees, or part-time employees. Whenever this occurs, it is noted throughout the handbook.

**It is the responsibility of each employee to read this handbook and be familiar with its provisions. Failure to do so does not excuse non-compliance with the policies or procedures.**

Sometimes a department policy may be more detailed than the general City policy presented in this handbook. However, if conflicts exist between the Personnel Guidelines and the departmental rules and regulations, the Personnel Guidelines shall govern, except as otherwise determined by the City Manager.

Department Directors, Managers, and Supervisors are responsible for the day-to-day administration of the provisions in the Personnel Guidelines. No employee handbook can anticipate every circumstance or question. After reading this handbook, if you have questions or suggestions, please feel free to talk with a Supervisor, Manager, Department

Director, or Human Resources Staff. The Human Resources Staff or the City Manager may clarify sections that seem unclear or open to interpretation.

Please note, wherever the words, "City Manager" are used, they apply to the City Manager or the City Manager's designee. Wherever the words, "Department Director" are used, they apply to the Department Director or the Department Director's designee. Wherever the words, "Human Resources Manager" are used, they apply to the Human Resources Manager or the Human Resources Manager's designee.



## **Section 2**

# **BENEFITS**

## **SECTION 2 - BENEFITS**

### **Computer Loan Program** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The purpose of the City's Personal Computer Loan Program is to assist employees with purchasing a new personal computer in order to increase the employee's computer skills for use at home or at work. The City offers benefited part-time and full-time employees the opportunity to apply for an interest-free loan of up to \$2,400 for the purchase of a new personal computer and related peripheral equipment. Employees may have one loan, for one computer, at a time.

Items not covered by this program are scanners, cameras, extended warranties, technical support, on-site service, printer ink, printer paper, surge protectors, expendable supplies, software that does not have a work application, and other peripherals outside of a work application.

To qualify for the program, you must be employed by the City for at least one year in a benefited position. Before making the purchase, employees must obtain prior approval by completing a Computer Loan Application accompanied by a description and quote for the desired equipment. Once the Computer Loan Application has been approved, the employee may make the purchase and submit the invoice for reimbursement. Sales tax must be paid, if applicable.

Loans up to \$1,200 must be repaid through payroll deduction over 26 consecutive pay periods. Loans above \$1,200 may be repaid through payroll deduction over 52 consecutive pay periods.

Applications for computer loans may be obtained from the Human Resources Staff.

### **Court Appearance** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Time spent in performing this type of work shall be considered hours worked. If you are subpoenaed as a witness in your official capacity as a City employee, your court and travel time are computed and compensated as hours worked. Compensation will not be paid if you are called as witness in any action not involving the City of Louisville.

### **Deferred Compensation** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City participates in the International City/County Management Association's (ICMA) deferred compensation program. The plan, known as a Section 457 plan, allows you to take a portion of the money you earn now and set it aside as a retirement supplement. Under current law, contributions are free of federal and state taxes.

To participate, you must be at least eighteen years old and be a benefited part-time or full-time employee. You may obtain information and enrollment forms from the Human Resources Staff.

### **Dental Insurance** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Coverage starts on the first day of the month following your date of employment. Coverage is also extended to your spouse and eligible dependents.

Because plan choices and features may change from year to year, more details are provided in the annual plan summary, insurance plan documents, and other enrollment materials. The Summary Plan Description document describes in detail what coverage is provided, and what constitutes an eligible dependent.

If your employment with the City is terminated for any reason, dental insurance coverage will end at midnight on the last day of the month in which your employment ends. Under certain circumstances, you and/or your dependents may be able to continue your group dental insurance coverage under the provisions of the Consolidated Budget Reconciliation Act of 1985 (COBRA) when you leave the City's employment. You will be notified by the City's COBRA administrator of your rights and obligations under the Act.

### **Employee Assistance Program** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*

The Employee Assistance Program (EAP) is available to employees and their families who desire help in dealing with all types of problems. Issues may be personal or job-related, such as marital, financial, emotional, and substance abuse. The service is fully confidential, voluntary and available 24 hours a day, seven days a week.

If the City determines there is a problem with your performance, or suspects that you have a drug or alcohol problem, you may be referred to the City's EAP provider. This type of referral is known as a supervisory referral, and your participation is required.

## **Extended Illness Bank (EIB)**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

All full-time and benefited part-time employees will have an Extended Illness Bank (EIB) established to provide for personal illnesses or injuries, which extend beyond 24 working hours. Absences for personal illness or injury for up to 24 scheduled working hours are charged to your Paid Leave Bank (PLB).

Employees begin accruing EIB upon hire but may not use the accrued time before one year of service has been completed. Absences due to illness during the first year of employment must be charged to PLB. (PLB accrues at a rate that includes the equivalent of 24 hours of sick time.)

EIB and FMLA (Family and Medical Leave Act) will run concurrently. Both EIB and FMLA require one year of service and 1,250 hours worked for eligibility.

Employees will earn 2.154 hours of EIB each 80 hours worked and can accrue up to 56.0 hours of EIB annually.

Extended Illness Bank (EIB) leave may be used for qualifying FMLA events which require you to be away from work for more than 24 working hours. The EIB is charged after charging 24 hours of PLB.

With an FMLA certification of Healthcare Provider, Extended Illness Bank leave may be used for family illness and in situations where you are the primary caregiver for family members. A family member is defined as spouse, child, or parent. For each incident, 24 hours of PLB time must be used before any EIB time may be used.

The City requires an FMLA certification of Healthcare Provider for any period of EIB leave. Further, where EIB leave in excess of 24 working hours is requested, the City requires that you provide a doctor's certification stating that you are released from care prior to your return to duty.

- The maximum accrual that you can carry in the Extended Illness Bank is 480 hours. Hours will not be earned or credited beyond that limit.

If you do not have enough hours in the EIB to cover an extended personal illness or injury, you must use PLB. If EIB and PLB have been exhausted, you may apply for the City's short-term disability coverage. After 13 weeks of disability, the employee may be eligible for coverage under the City's Long-Term Disability (LTD) policy. Contact the Human Resources Staff for more information.

EIB benefits will be prorated for benefited part-time employees.

## **Family Bereavement Leave**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

If there is a death in your family, you will be granted up to 24 hours of bereavement leave. Should out-of-state travel be required, an additional 16 hours is permitted. For purposes of this policy, “family” includes by blood, marriage, or domestic partnership in any of the following degrees: parents, spouse, children, brothers, sisters, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, and grandchildren.

## **Family Medical Leave Act (FMLA)**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Must have worked at least 1250 hours in a 12 month period and been continuously employed with the City for at least 12 months.*

You may need to take reasonable leave for medical reasons, for the birth or adoption of a child, and/or for the care of a child, spouse, or parent who has a serious health condition. In accordance with the Family and Medical Leave Act of 1993 (FMLA), it is the policy of the City to grant up to 12 weeks of family and medical leave during a 12-month period.

**Eligibility** - To be eligible for leave under this policy, you must have been employed by the City for at least 12 months prior to requesting leave, and have worked at least 1,250 hours during that time. The 12-month period does not need to be consecutive.

**Type of Leave Covered** - In order to qualify for family and medical leave under this policy, the employee must be taking leave for one of the reasons listed below:

- The birth of a child and in order to care for that child;
- The placement of a child for adoption or foster care, and to care for the newly placed child;
- To care for a spouse, child, or parent with a serious health condition; or
- The serious health condition (described below) of the employee.

An employee may take leave because of a serious health condition that makes the employee unable to perform the functions of the employee’s position.

A serious health condition is defined in detail by FMLA guidelines (See Section 8 – Definitions). In summary, this definition covers a condition which requires inpatient care at a hospital, hospice or residential medical care facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care or a condition which requires continuing care by a licensed health care provider. (Leave for pregnancy disability is treated the same as other medical disabilities.)

Employees with questions about what illnesses are covered under this FMLA policy or the City’s EIB (Extended Illness Bank) policy are encouraged to consult with the Human Resources Staff.

You are entitled to a total of 12 work weeks of leave during a 12-month period measured forward from the beginning date of the employee’s first FMLA. Leave for birth, adoption or

foster care must be taken within one year of the birth or placement of the child.

If both you and your spouse are employed by the City, you are both entitled to an aggregate leave of 12 work weeks during a 12-month period, unless the illness is your own.

**Employee Status and Benefits During Leave** - While an employee is on leave, the City will continue the employee's health, dental, life, and disability benefits during the leave period at the same level and under the same conditions as if the employee had continued work.

The City will notify the employee within five business days in writing whether or not the leave will be designated as FMLA leave. If an employee is not eligible for FMLA leave, the City will provide the employee with the reason(s) they are ineligible within five business days. Disability leave for the birth of a child and for an employee's serious health condition, including workers' compensation leave (to the extent that it qualifies), will be designated as FMLA leave.

**Example of Employee's Own Medical Condition:**

An employee is out of work for six weeks of medical leave related to pregnancy and delivery as certified by a physician. The six weeks will be designated as FMLA and counted toward the employee's 12-week entitlement. The remaining six weeks of FMLA may be used for care of the newborn child. The employee must use 24 hours of PLB and then EIB will be used for the medical leave. The balance of the 12-week leave would be non-medical, therefore, the employee must use PLB, if available, or the balance would be unpaid.

**Example of Medical Leave for a Family Member:**

An employee's father has Alzheimer's, and the physician has certified that the employee will need two weeks off to provide care and relocate the father to a residential care facility. The employee's leave will be designated as FMLA and counted toward the 12-week entitlement. The employee must use 24 hours of PLB and then EIB will be used. If EIB is exhausted, then PLB will be used. If PLB has been exhausted, the remaining time would be without pay.

**Example of Non-Medical Leave:**

As employee's wife has a normal pregnancy and delivery, and the physician has certified that she is medically disabled for six weeks. The employee may take up to 12 weeks of FMLA for the birth of a child. The employee must use 24 hours of PLB and then EIB may be used for the medical leave to care for his wife and child. For the balance of the 12-week leave, which is non-medical, the employee must use PLB, if available; otherwise the non-medical leave would be without pay.

**Use of Paid and Unpaid Leaves** - For medical leaves, Paid Leave Bank must be used for the first 24 hours, and then EIB will be used. Should EIB be exhausted, PLB will be charged. If EIB and PLB have been exhausted, the employee may apply for the City's short-term disability coverage (for the employee's own medical condition) or the remaining leave will be without pay.

For paid non-medical leaves, all accrued PLB must be used. Any remaining time will be unpaid.

**Intermittent Leave or Reduced Work Schedule** - With the attending physician's written direction, leave may be taken on an intermittent basis if it is due to your personal illness, or to care for your spouse, child, or parent. Requests for intermittent leave for the birth, adoption or placement of a foster child may be granted on an individual basis with approval of the City Manager based on a recommendation from the Department Director and in consultation with the Human Resources Manager.

The City may temporarily transfer an employee to an available alternative position with equivalent pay and benefits if the alternative position would better accommodate the intermittent or reduced schedule, for leave for the employee or employee's family member that is foreseeable and for planned medical treatment, including recovery from a serious health condition or to care for a child after birth.

**Certification of Serious Health Condition** - The City requires certification of the serious health condition. The employee must respond to such a request within 15 days of the request, or provide a reasonable explanation for the delay. Failure to provide certification may result in a denial of continuation of leave. Medical certification should be provided using the Medical Certification Form, which you may obtain from the Human Resources Staff.

Certification of the serious health condition shall include: the date when the condition began, its expected duration, and a brief statement of treatment. For medical leave for the employee's own medical condition, the certification must also include a statement that the employee is unable to perform work of any kind or a statement that the employee is unable to perform the essential functions of the position. For a family member who is seriously ill, the certification must include a statement that the patient, the family member, requires assistance and that the employee's presence would be beneficial or necessary.

The City has the right to ask for a second opinion if it has reason to doubt the certification. The City will pay for the employee to get a certification from a second doctor, which the City will select. If necessary to resolve a conflict between the original certification and the second opinion, the City will require and pay for the opinion of a third doctor. The third opinion will be considered final. The employee will be provisionally entitled to leave and benefits under the FMLA pending the second and/or third opinions.

**Procedure For Requesting Leave** - All employees requesting leave under this policy must provide verbal notice with an explanation of the reason(s) for the needed leave to their immediate supervisor, who will advise the Human Resources Staff. If the leave is foreseeable, the immediate supervisor should request that the employee provide a written request and reasons(s) with a copy to the Human Resources Staff.

The City will provide individual notice of rights and obligations to each employee requesting leave within five business days. When an employee plans to take leave under this policy, the employee must give the City 30 days' notice. If it is not possible to give 30 days' notice, the employee must give as much notice as is practicable. An employee who is to undergo planned medical treatment is required to make a reasonable effort to schedule the treatment in order to minimize disruptions to the City's operations.

If an employee fails to provide 30 days' notice for foreseeable leave with no reasonable excuse for the delay, the leave request may be denied until at least 30 days from the date that the City receives notice. While on leave, employees are requested to report periodically to the Human Resources Staff regarding the status of the medical conditions, and their intent to return to work.

An employee who fraudulently obtains FMLA leave is not protected by FMLA's job restoration or maintenance of health benefit provisions and will face discipline up to and including termination. Authorization for outside employment is suspended for any employee on FMLA leave.

If you have questions about this policy or would like a complete description of your rights and responsibilities under the Family and Medical Leave Act, contact the Human Resources Staff.

**Military Family Leave Entitlements-** Eligible employees with a spouse, son, daughter, or parent on active duty or called to active duty status in the National Guard or Reserves in support of a contingency operation may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

Eligible employees may also take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is a current member of the Armed Forces, including a member of the National Guard or Reserves, who has a serious injury or illness incurred in the line of duty on active duty. The injury or illness must make the servicemember medically unfit to perform his or her duties for which the servicemember is undergoing medical treatment, recuperation, or therapy; or is in outpatient status, or is on the temporary disability retired list.

### **Flexible Benefits Plan** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

An Internal Revenue Service Section 125 (Flexible Benefits) Plan is available for you to set aside a portion of your salary to pay for non-reimbursed medical expenses, childcare expenses, and non-paid insurance premium expenses. Your contributions are free of Social Security, Medicare, federal, and state taxes.

### **Flexible Schedules** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City of Louisville is committed to working with employees to establish mutually beneficial flexible work schedules while considering the needs and expectations of our internal and external customers.

Supervisors are responsible for establishing work schedules. Employees may request a change to their work schedule by submitting a written request. The request should include the proposed start date, proposed flexible work schedule, how this new schedule will benefit the organization, and any potential adverse impact. The supervisor and Department Director may approve or deny the flexible work schedule. Should the request to change a work schedule reduce or increase the employee's FTE status (number of work hours allocated to work each week), or requires changes to the hours that City facilities are



open and available to the public, the Human Resources staff and City Manager must also review the request.

The supervisor and/or the Department Director may change the schedule back to a traditional work schedule.

### **Golf Course Discount** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

City employees are eligible to receive the Peak Player rate at Coal Creek Golf Course. Carts and range fees are additional. The Golf Course will receive a monthly employee roster from the Human Resources staff which will be used to verify the employee discount.

### **Holidays** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The following days are currently designated as City official holidays for employees:

- New Years Day
- Martin Luther King, Jr. Birthday
- Memorial Day
- Independence Day
- Labor Day
- Veterans Day
- Thanksgiving Day and the day after Thanksgiving
- Christmas Day

A memo listing both the actual and observed holidays will be distributed to employees at the beginning of each calendar year. Holidays falling on Saturdays are normally observed on the preceding Friday. Holidays falling on Sunday are normally observed on the following Monday.

If required to work on either the actual or the observed holiday, 7K Exempt and FLSA non-exempt employees who work in the Water Treatment Plant, the Wastewater Treatment Plant, the Library, the Police Department, the Recreation Center, Operations Division or Parks Division will be paid at one and one-half times the regular rate of pay for all hours worked on the actual holiday. All other non-exempt employees, if required to work, will be paid at one and one-half times the regular rate of pay for all hours worked on the observed holiday.

## **Injury Leave**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

If you are injured while performing your job duties, you may be granted paid leave for the first three scheduled workdays following the injury. Injury leave will only be granted when it is determined that a compensable injury has occurred under the provisions of the State of Colorado Workers' Compensation laws. Injury leave may not be granted when an injury is a result of your failure to follow standard City procedures and safety practices.

After three days of a work-related injury leave, the City will compensate you at your regular rate for a work-related injury. Employees must comply with the physician's treatment plan and must accept a Light Duty assignment if the City arranges one (See Light Duty Assignment section for specific details).

You will not receive injury leave for an accident resulting from non-work related activities.

## **Jury Duty** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City recognizes and encourages you to perform your civic duty. If you are summoned for jury duty, you must provide your immediate supervisor with a copy of the jury summons as soon as you receive it. If you are selected to actually serve on a jury, you will receive your full pay for the time missed from work. Any fees, except for mileage and parking, paid to you by the Court must be assigned to the City. If you are excused from jury duty, you must report back to work immediately in order to work the remainder of your shift.

You have the option of using accrued Paid Leave Bank time and retaining any fees for either jury duty or witness leave.

## **Leave without Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

In special and extenuating circumstances, a leave of absence without pay may be granted, subject to the approval of the City Manager. Such leave may be granted when it is in the City's best interests to do so. During your absence the City may elect to fill your position with temporary personnel.

In order to be eligible for leave without pay, you must first use all accrued Paid Leave Bank time and any accrued compensatory leave. You must submit a written request for the dates you expect to be on leave without pay.

Leave without pay will not be granted for more than one (1) year. If your leave without pay exceeds 30 calendar days, you will be responsible for payment of group insurance premiums beginning on the 31st day. If your leave without pay exceeds 90 calendar days, the City does not guarantee the same position will be available upon your return and on the 91<sup>st</sup> day all other employee benefits cease. In addition your computer loan must be paid in full on the 91<sup>st</sup> day. If your position is not available after 90 days, you will be placed on an eligibility list for 9 months to be considered for future openings for which you may be qualified.

The accrual of your PLB and EIB will cease while you are on leave without pay, unless you are on FMLA leave. Your performance review and length of service will be adjusted commensurate with your time off. A leave of absence will not be granted to a provisional employee. Should an employee take leave without pay without the approval of the City Manager, he/she may be subject to disciplinary actions.

### **Library Card and Fees** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*

City employees are eligible to receive a free Louisville Library Card. All overdue fees are waived for eligible employees.

### **Life Insurance** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City provides group term life insurance to benefited part-time and full time employees. The policy covers the employee at two and one-half times your gross annual salary up to a maximum of \$175,000.

The policy also provides additional coverage for Accidental Death and Dismemberment (AD&D). If you elect family coverage, your spouse and any dependent children are covered at \$2,500 each.

The City pays the full monthly premium for regular full-time employees. Benefited part-time employees are eligible for coverage on a prorated basis.

### **Light Duty Assignment** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

An employee may be considered for a short-term alternate work program, sometimes called modified or light duty, when recovering from an injury or illness. Assignments will be made on a case-by-case basis by the Department Director and the Human Resources Manager while considering the work restrictions outlined by the healthcare provider and the availability of alternative work.

### **Long Term Disability (LTD) ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City offers all benefited part-time and full-time employees a Long Term Disability Plan. If you become totally disabled while actively employed and covered by the plan, you may be eligible for benefits after 90 calendar days of disability, or the end of any accrued Paid Leave Bank or Extended Illness Bank time, whichever is later. The benefit amount for a long-term disability claim is 60% of your monthly earnings, up to a maximum of \$7,000 per month. This amount may change depending upon coordination with other insurance plans and Social Security benefits. The City pays the full monthly premium for eligible full-time employees. Benefited part-time employees are eligible for long term insurance coverage on a prorated basis.

The Summary Plan Description booklet provides details about the coverage can be obtained from the Human Resources Staff.

### **Medical Insurance ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City currently offers medical insurance to all benefited part-time and full-time employees. Coverage starts on the first day of the month following your date of hire. Coverage is also extended to your spouse and eligible dependents.

Because plan choices and features may change from year to year, more details are provided in the annual plan summary, insurance plan documents, and other enrollment materials. The Summary Plan Description document describes in detail what coverage is provided, and what constitutes an eligible dependent.

Benefited part-time employees are eligible for health insurance on a prorated basis.

An employee who is considered eligible to receive medical insurance benefits may waive City-provided medical insurance benefits if the employee certifies that he/she has existing medical insurance coverage and that such coverage is expected to continue throughout the Plan Year. The employee must produce a statement on letterhead documenting that they have coverage through another entity.

Employees who waive health insurance coverage and subsequently experience a qualified change in their status may enroll in a City provided health insurance plan within thirty (30) days of the qualifying event.

If your employment with the City is terminated for any reason, health insurance coverage will end at midnight on the last day of the month in which your employment ends. Under certain circumstances (divorce, loss of job, etc.) you and/or your dependents may be able to continue your group health insurance coverage under the provisions of the Consolidated Budget Reconciliation Act of 1985 (COBRA) when you leave the City's employment. You will be notified by the City's COBRA administrator of your rights and obligations under the Act. The City reserves the right to amend, change, or cancel medical insurance coverage at any time.

### **Military Leave** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

If you are a member of the National Guard or the military reserve forces of the United States you are allowed up to fifteen (15) days' military training leave, without loss of pay and benefits, each calendar year. You are required to report to work as soon as your military obligation ends.

In situations where you may be required by proper military authority to exceed the fifteen days allowed, you may elect one of two options.

- Use any accrued Paid Leave Bank time or accrued compensatory leave to make up the difference between your military pay and your City pay.
- Apply for an unpaid leave of absence. A memo must be written to the City Manager outlining the reasons the employee is requesting unpaid leave along with information regarding the need for the leave to be unpaid. The City Manager must authorize all unpaid leave of absences.

A military leave of absence will be granted if you enlist, are inducted, or are recalled to active duty in the Armed Forces of the United States for a period of up to four years (plus any involuntary extension for not more than one year), if you are a benefited part-time or full-time employee. You will retain all rights with respect to reinstatement, seniority, leave banks, layoffs, compensation, and other benefits as required by applicable Federal or State law.

You are eligible to continue participation in the City's health insurance plans under the provisions of COBRA while on active military service. You will not accrue Paid Leave Bank or Extended Illness Bank time during this period. Upon your return to work, your accrual rate for Paid Leave Bank time will be adjusted to reflect your years of military service.

Upon your release from active duty you must reapply, for your position, within ninety (90) calendar days of your discharge. You will be required to provide either an Honorable Discharge Certificate or a Discharge from Active Duty (DD-214) as proof of satisfactory completion of military service.

You must submit a copy of any orders for active duty training, enlistment, induction, or

recall to your immediate supervisor in advance of taking the leave. Failure to do so may result in the loss of your reemployment rights or in disciplinary action being taken.

### **Paid Leave Bank (PLB) ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

A Paid Leave Bank (PLB) is established to provide for paid time away from scheduled work for vacation time, sick days, holiday observances, personal business, and for the first twenty-four (24) hours of scheduled working hours of FMLA. Excluded from the requirements of using the PLB are time away from work due to the use of Civil Leave, Military Leave, Bereavement Leave, Voting Time, and Injury Leave. Separate policies cover absences for those reasons.

Paid Leave Bank time accrues as follows:

<b>Months of continuous service</b>	<b>Accrual per Pay Period</b>	<b>Annual Accrual</b>	<b>Maximum accrual</b>
From 0 through 36 months or <b>1 - 3 years</b>	8.00	208	<b>312</b>
Beginning month 37 or <b>3 years and 1 month</b>	8.62	224	<b>336</b>
Beginning month 61 or <b>5 years and 1 month</b>	9.54	248	<b>372</b>
Beginning month 121 or <b>10 years and 1 month</b>	10.15	264	<b>396</b>
Beginning month 181 or <b>15 years and 1 month</b>	11.07	288	<b>432</b>

Paid Leave Bank time accrues on hours worked each pay period. Included in the definition of hours worked are the following:

- All actual hours worked.
- PLB hours used to replace scheduled hours.
- Extended Illness Bank (EIB) hours used to replace scheduled hours. Paid leave provided under the provisions of the Civil Leave, Bereavement Leave, Military Leave, Injury Leave, and Voting Time policies.
- Compensatory Time

Adjustments to accrual rates take effect on the first pay period following your anniversary date of employment.

- The maximum amount of PLB hours you will be allowed to carry on the books at any time shall be one and one-half times your annual accrual rate.  
(Example: If you earn at the rate of 208 hours annually, you will be allowed to carry forward a maximum of 312 hours. No hours will accrue beyond the maximum established for your length of service.)

Leave must be approved in advance, other than unscheduled illnesses. Department Directors may require leave to be approved in advance and may or may not require the use

of leave slips. Check with your Department Director regarding his/her requirements regarding leave slips. A Department Director may restrict PLB leave due to operational needs. PLB benefits earned will be prorated for benefited part-time employees.

### **Recreation Center Membership** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

City employees are eligible to receive an annual membership to the Louisville Recreation Center. The City encourages all employees to maintain and improve their health, and support a regular exercise program.

Employees' families will be able to receive memberships at the current Louisville resident rates, either through payroll deduction or paid in full at the Recreation Center. The Recreation Center will receive a monthly employee roster from the Human Resources staff to determine eligibility.

### **Retirement/ Pension Fund** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City provides a retirement plan for all benefited part-time and full-time employees. The International City Management Association's Retirement Corporation (ICMA-RC) administers the plan. The plan, known as a Section 401(a) Money Purchase Plan is mandatory, and requires that you contribute 4.5% of your salary toward your retirement each pay period. The City contributes 5% of your salary. Under current law, your contributions are free of federal and state taxes.

To participate, you must be at least eighteen years old and be a benefited part-time or full-time employee. You may obtain information and enrollment forms from the Human Resources Staff.

### **Short Term Disability (STD)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City offers a short-term disability plan to all benefited part-time and full-time employees. Employees are eligible to apply for short-term disability coverage after one year of service.

Short-Term disability coverage is designed to provide a safety net for those employees who have not been employed long enough to earn the full Extended Illness Bank (EIB) accrual. Employees must use all accrued PLB and EIB before they are eligible to use Short-Term Disability.

If you become totally disabled while actively employed and covered by the Plan, you will be



paid 67% of your basic weekly earnings, up to a maximum weekly benefit of \$950, for each full week that you are totally disabled starting on the day following the elimination period. The Summary Plan Description document provides more details about the coverage.

No benefit will be paid for any period of disability for which you are not under the regular care of a licensed physician. Benefits are also excluded for work related injuries, and when you are paid your regular salary through the use of accrued Paid Leave Bank or Extended Illness Bank time.

Payment of STD benefits under the plan is administered through the City's third party administrator (TPA).

### **Social Security and Medicare** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Each pay period deductions are made to pay Social Security and Medicare taxes. The current rate for Social Security is 6.2%, and for Medicare it is 1.45%. The City matches those amounts. Questions concerning benefits under Social Security and Medicare can be addressed by the Human Resources Staff or the Social Security Administration.

### **Supplemental Insurance Plans** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City of Louisville offers a wide-range of plans at the employees' own expense. Please contact the Human Resources staff for more information regarding plan options and details.

### **Teleworking** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Teleworking is an alternative method of working to allow certain employees the flexibility of working from home or at an alternate location on an on-going part-time basis (1 day per week). Teleworking is not a universal employee benefit but rather privilege based on the following criteria:

- Self motivation
- Level of job knowledge
- Flexibility
- Organizational skills
- Need for social interaction
- Level of unsupervised productivity



- Personal accountability
- Reliability
- Judgment
- Employee's position or job duties
- Time in position
- Past performance
- Cost effectiveness
- Technological expertise

Positions that lend themselves to teleworking are those characterized by a significant amount of reading or research, planning, and autonomy. In order to maintain the City's high customer service standards, positions that require a high level of daily face-to-face contact with citizens, internal and external customers, or co-workers will not be considered for teleworking.

Department Directors have the sole discretion on deciding who Teleworks based on the criteria listed above. The Department Director may change the schedule back to a non-teleworking schedule.

Other than the remote location, all other aspects of the employee's job remain the same including compensation, benefits, work responsibilities, overtime, and pay periods. Unless specified by the supervisor, the employee's work schedule will remain the same as days not teleworking. At the supervisor's discretion, telecommuters may be directed to check in at the beginning or end of the workday, and are required to be available for telephone calls during teleworking hours. Employees teleworking must be able and willing to report to the office during core business hours for the purpose of attending required meetings or any other necessary reasons as deemed appropriate by their supervisor on scheduled teleworking days.

Employees are responsible for their own income tax preparation and determining any tax implications from utilizing a remote work area. The City will not give advice or assume any tax liability for the teleworker. Teleworkers will not be available during core hours to provide dependent care.

For more details about how to apply for the teleworking option, please see Section 10 – Administrative Policies.

### **Time Off to Vote** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

If your work schedule on the day of an election requires you to work all twelve hours (7:00 a.m. to 7:00 p.m.) during which the polls are open, you will be allowed up to two hours of time off to vote. You must make prior arrangements with your supervisor for time off to vote.

## **Tuition Reimbursement**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

To provide you with the skills necessary for advancement, you may be eligible to participate in the City's tuition reimbursement program. Positive consideration for your participation in the program will generally be given if your immediate supervisor deems your current job performance to be satisfactory, your department director approves, and funds are available. Funding is centralized through the Human Resources budget and is available on a first-come, first serve basis. If you are interested in taking an educational course, you should complete the Request for Tuition Assistance form, and obtain advance approvals from your supervisor, Department Director, and the Human Resources Manager in order to ensure reimbursement funds are available.

To be eligible for educational assistance you must have satisfactorily completed one year of service prior to the start of any course of instruction. The City will not reimburse you for courses taken if you terminate your employment prior to the end of the semester or course of study. Study and class attendance must be accomplished during non-working hours, unless arrangements to change your work schedule are made in advance, and with your department director's approval. For the complete policy see Section 10 – Administrative Policies.

## **Vision Insurance** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City offers all benefited part-time and full time employees a group vision care plan. Eligible family members are also covered under this plan.

Because plan choices and features may change from year to year, more details are provided in the annual plan summary, insurance plan documents, and other enrollment materials. The Summary Plan Description document describes in detail what coverage is provided, and what constitutes an eligible dependent.

## **Wellness Program** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*

The City of Louisville encourages employees to maintain good health and wellness. As a means of supporting employees in this venture, the City provides a wellness program. Detailed information about the City's Wellness Program can be obtained from the Human Resources staff.

## **Workers' Compensation**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

You are covered for medical treatment and lost wages in cases where you are injured on the job, or where you contract an illness that is work related.

If you are injured on the job, you must notify your supervisor immediately. Failure to report an injury or illness within four days of its occurrence, as required by Colorado Revised Statutes §8-43-102(1), may result in the loss of benefits. If you require medical attention, your supervisor will authorize you to visit one of the City's two designated medical providers for Workers' Compensation injuries.

Your supervisor will complete a First Report of Injury form and send it to Human Resources staff for processing and notification to the City's insurance carrier.

In the event of a life or limb threatening emergency, you will be sent to the nearest emergency medical facility. Follow-up care must be given by the City's designated medical provider. You can obtain the designated medical providers from your Department Director, Manager, Supervisor, or the Human Resources Staff. If you are treated by an unauthorized medical provider, you may be responsible for payment of such treatment.

If you are dissatisfied with the care you receive from the medical provider, please contact the Human Resources Staff. We will seek authorization from the insurance provider to assign a different physician so that a second opinion can be obtained.

Fraudulent workers' compensation claims are grounds for immediate dismissal.

# **Section 3**

# **CONDUCT**

## **SECTION 3 – CONDUCT**

### **CONDUCT – GENERAL GUIDELINES**

The City's expectation is that employees will conduct themselves in accordance with the values of integrity, personal responsibility, cooperation and professionalism in order to ensure that the needs of our internal and external customers are met.

#### **Alcohol and Drug Free Workplace**

See Section 10 – Administrative Policies for the complete policy.

#### **Appearance** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Wearing apparel must be appropriate to the job function and must not compromise safety. Should you have questions contact your Department Director.

#### **Attendance and Punctuality** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Your punctuality and regular attendance are essential for efficient operation. If you are going to be late or absent, notify your supervisor by the time set by your department so that other arrangements can be made to get the job done.

If you are absent without giving notice for three consecutive scheduled work days, it will be assumed that you have abandoned your position, and you will be subject to termination.

#### **Code of Ethics** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

See Section 1 for the City of Louisville's Code of Ethics.

## **Harassment and Sexual Harassment**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

It is the intent of the City of Louisville to maintain a safe work environment where all employees are free from harassment. Any form of harassment, including sexual harassment of a City employee by anyone, including any supervisor, co-worker, vendor, or customer of the City is strictly prohibited.

Harassment consists of unwelcome conduct, whether verbal, physical or visual. The transmission, downloading, storage or distribution of material containing inappropriate comments that are sexually, racially or ethnically offensive, or which contain jokes, slurs or disparagements of or threat to others is prohibited. Similarly, insulting, degrading, threatening or otherwise offensive, hostile remarks, graffiti, posters, writings, gestures, actions or other communications are strictly prohibited. The preceding list of forms of misconduct is not all-inclusive, but is intended merely to illustrate some of the activities which the City's harassment policy prohibits.

Sexual harassment is any advance, request, or conduct (verbal, visual, physical) of a sexual nature when:

- Submission to or rejection of such conduct is an explicit or implicit term or condition of employment;
- Submission to or rejection of such conduct is used as a basis for any employment-related decision;
- The conduct has the purpose or effect of unreasonably interfering with work performance; or
- The conduct creates a sexually intimidating, hostile or offensive work environment.

An employee who is subjected to any form of harassment shall report the incident or situation to one of the following: his/her immediate supervisor, or any supervisor or manager, or any Department Director, or any member of the Human Resources Staff. The immediate supervisor is responsible for conduct between co-workers and the conduct of non-employees in the workplace where the supervisor has knowledge of or should have known of harassing conduct. This responsibility includes taking immediate action to report allegations of harassment and to assist in correcting such behavior.

Each reported incident of harassment will be investigated and documented by the Human Resources Staff or third party as determined by the Human Resources Manager. Employees must cooperate in any investigation involving questionable employee conduct. Investigations will be handled on a strict "need to know" basis. The City will not tolerate retaliation against any individual who brings a harassment complaint in good faith, or who testifies and/or assist in any investigation. Employees in violation of this policy will be subject to disciplinary action, up to and including termination. A false statement(s) of harassing behavior shall result in discipline, up to and including termination.

Employees who participate in an investigation will not be retaliated against for participating or advancing complaints or concerns. Any employee participating in an investigation who believes they have experienced any form of retaliation shall report this immediately to the Human Resources Staff.

### **Outside Employment**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City requires that your activities and conduct away from the job must not compete or conflict with or compromise the City's interests, or adversely affect your job performance and the ability to fulfill all of your responsibilities to the City.

It is a conflict of interest for you to have any personal interest (monetary, advisory, representing or appearing on behalf, etc.) in any business dealings with the City. This requirement, for example, prohibits you from performing any services on nonworking time that are normally performed by City personnel during working time. This prohibition also extends to the unauthorized use of any City tools or equipment and the unauthorized use or application of any confidential trade information or techniques. In addition, you are not to solicit or conduct any outside business during paid working time.

You must obtain prior written approval from management, on the form prescribed, before any outside employment or other work activity is undertaken.

The **AUTHORIZATION FOR OUTSIDE EMPLOYMENT** form may be obtained from the Human Resources office.

The City will not authorize outside work requests that:

- May reduce the employee's efficiency in working for the City;
- Creates a conflict of interest or creates the appearance of a conflict of interest or that violates the City's Ethics Code.

Employees who have accepted outside employment are not eligible for paid Extended Illness Bank leave when the absence is the result of an injury sustained on the outside job. In those cases, fraudulent use of EIB leave will be cause for disciplinary action.

Authorization for outside employment is suspended for any employee on FMLA leave.

## **Personal Business**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Personal phone calls, personal conversations, resolving personal matters and similar work distractions should be kept to a minimum and not interfere with your work duties or accessibility to help others.

## **Political Activities**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

You are encouraged to participate in the electoral process and support the political candidates or ballot measures of your choice. You are free to engage in political activity associated with City, county, state and federal campaigns, but you need to do so **ONLY** on your own time, with your own resources, off City premises and without giving the impression that the City is endorsing your activity. It is important that our City's operations and deliberations are impartial and that we make efforts to eliminate improper influence.

While on work time an employee may not publicly support or oppose any candidate for office, circulate any petitions, distribute campaign or ballot literature. In addition, employees are expected to refrain from efforts to convert others to a political cause during working hours.

Employees who choose to run for political office must do so on their own time. The City's premises cannot be used for political campaigning. "No City employee may serve as Mayor or Councilmember. A City employee or a City board or commission member who is elected as Mayor or Councilmember shall be deemed to have resigned from the position of City employee, or City board or commission member, on the date of taking office under section 3-4(b)", per the City Charter.



## **Safety** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City is committed to provide safe working conditions for all employees. Therefore, it is important that you follow all policies and procedures in order to ensure safe, efficient operating conditions which safeguard you, your fellow employees, and City equipment and facilities.

The City will not knowingly permit unsafe conditions to exist, nor will it permit employees to indulge in unsafe acts. Violations of City safety rules and regulations will result in disciplinary action.

The safety of employees and physical property can best be ensured by an awareness of its importance by all concerned. This is a shared responsibility on the part of both employees and management.

You are encouraged to make recommendations, suggestions, and criticisms of unsafe conditions to your immediate supervisor, Department Director, or a member of the Human Resources Staff so that they may be corrected.

Where necessary, by reason of hazard, personal protective equipment is necessary to ensure your safety and well-being. Such equipment includes, but is not limited to: Safety glasses, gloves, aprons, safety shoes, reflective vests, hearing protection, and hard hats.

Some general safety rules that all employees must follow at all times are:

- Never operate any machine or equipment unless you are specifically authorized to do so by your supervisor.
- Do not operate defective equipment. Do not use broken hand tools. Report defective or hazardous equipment to your supervisor.
- Obtain full instructions from your supervisor before operating a machine with which you are not familiar.
- Never start on any hazardous job without being completely familiar with the safety techniques which apply to it. Check with your supervisor if in doubt.
- Make sure all safety attachments are in place and properly adjusted before operating any machine.
- Do not operate any machine or equipment at unsafe speeds. Shut off equipment which is not in use.
- Wear appropriate shoes for your job function.
- Do not wear loose, flowing clothing or long hair while operating machinery.
- Never repair or adjust any machine or equipment unless you are specifically authorized to do so by your supervisor.
- Never oil, clean, repair, or adjust any machine while it is in motion.
- Never repair or adjust any electrically driven machine without opening and properly tagging the main switch.

- Put tools and equipment away when they are not in use.
- Do not lift items which are too bulky or too heavy to be handled by one person. Ask for assistance.
- Keep all aisles, stairways, and exits clear of skids, boxes, hoses, equipment and spillage.
- Do not place equipment and materials so as to block emergency exit routes, fire boxes, sprinkler shut-offs, machine or electrical control panels, or fire extinguishers.
- Stack all materials neatly and make sure piles are stable.
- Keep your work area, machinery, and all City facilities which you use clean and neat.
- Do not participate in horse play, tease or otherwise distract fellow workers.
- Wear seat belts at all times in City vehicles.
- Do not operate any machinery or equipment when using a prescription drug or over-the counter medication which could cause impairment.
- Lift with your legs, not your back. Get assistance with loads over 50 lbs.
- Never take chances where safety is concerned. If you are unsure, ask your supervisor. Let good common sense be your guide.

Employees are required to comply with all safety rules and regulations. Failure to do so will result in disciplinary action and a reduction of up to a 50 percent in workers' compensation benefits if an accident occurs. If you have questions concerning your department's safety policies and procedures, contact your supervisor.

### **Tobacco Use** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The consumption of tobacco or tobacco related products is prohibited in all City facilities and City vehicles. Smoking or the use of tobacco related products is permitted in designated areas outside City facilities. Outside areas where smoking will be permitted will be determined in accordance with Colorado law and approved by the Department Director who has responsibility for that facility.

### **Use of City Property** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The use of City property shall be for work purposes only. Any exceptions to this policy must have proper authorization from the Department Director or City Manager.

## **Workplace Violence** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Employees need to feel safe from threats and any type of violent activity in the workplace. To ensure a safe workplace and to reduce the risk of violence, there are behaviors that will not be tolerated. These included but are not limited to:

- Causing physical injury to another person.
- Making threatening remarks.
- Aggressive or hostile behavior that creates a reasonable fear of injury in another person, or subjects another individual to emotional distress.
- Intentionally damaging employer's property.
- Possession of a weapon (other than legally concealed) while on City property or while on City business unless required in the performance of job duties, such as Police Officers.
- Committing acts motivated by, or related to, sexual harassment or domestic violence.

Employees are expected to immediately inform a supervisor of behavior that could be a sign of dangerous behavior. These types of behaviors include, but are not limited to:

- Bringing unauthorized weapons to the workplace.
- Displaying outward signs of extreme resentment, bitterness, hostility or anger.
- Making threatening remarks.
- Displaying irrational or inappropriate behavior.

## **CONDUCT - CORRECTIVE ACTION**

Corrective Action steps need not be followed in any particular order but should be used according to the particular circumstance(s).

## **Disciplinary Action** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

It is the responsibility of each employee to maintain a standard of conduct and performance essential for efficient, effective and safe operation of the City of Louisville. When employee conduct or performance falls short of standards or expectations, they may be subject to disciplinary action. Disciplinary action may take the form of a verbal warning, written warning, suspension, involuntary demotion, or termination, depending on the

circumstances and one is not conditional upon the other. Action taken by the City in one case does not establish a precedent with respect to any other case.

### **Verbal Warning**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Verbal warnings may be issued for minor performance or conduct problems. Supervisors will maintain a record of verbal warnings. There is no express or implied right to receive notice or hearing prior to or in conjunction with a verbal warning. Employees may not appeal verbal warnings.

### **Written Warning**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Written warnings may be issued for repeated minor problems or for a more serious problem. Written warnings will be placed in an employee's personnel file. There is no express or implied right to receive notice or hearing prior to or in conjunction with a written warning. The employee will receive the original of the written warning and a copy will be placed in the employee's personnel file. Both the supervisor and the employee should sign and date the original document. Employees may not appeal Written Warnings.

### **Performance Improvement Plan (PIP)**

*(Sometimes called Remedial Action Program or PIP)*

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

This type of review is designed if your performance is inconsistent and unacceptable. Your supervisor establishes a highly specific program for corrective action using supervisor-imposed performance measurements and time frames. This program calls for monthly reviews and documentation of all incidents and review sessions. If your performance does not improve, you will be subject to termination. ***You may not be eligible for a merit increase due to your performance.***

## **Suspension** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Suspension may be used to respond to a serious problem. In addition, the City may place an employee on administrative leave pending an investigation of the facts in question and a determination of the appropriate response. Suspensions are subject to review by the Human Resources Manager and approval of the Department Director.

Employees will be provided with a notice of intent to suspend, including the reasons for the proposed suspension. A hearing will be held with the employee's department director and a representative from Human Resources prior to imposing any proposed suspension. At the hearing, an employee will have the opportunity to respond to the allegations and information contained in the notice of intent to suspend. The hearing date will be established, in writing, by the Department Director

After the hearing, the Department Director will issue a written determination. The Department Director may deny the suspension, affirm the suspension, or modify the discipline to be imposed, based on the Department Director's review and determination. A copy of any suspension will be placed in the employee's personnel file. Employees may appeal a suspension decision as set forth herein.

## **Involuntary Demotion** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

An involuntary demotion is a change in appointment status to a position of less responsibility, lower classification, and lower salary. A department director may recommend an involuntary demotion for lack of job performance, lack of necessary job skills, or as discipline for a violation of the City's standards of conduct. Involuntary demotions are subject to review by the Human Resources Manager and approval of the Department Director. Employees may appeal an involuntary demotion as set forth herein.

## **Termination** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

When, in the City's determination, performance issues or violation of standards of conduct warrant it, the City may terminate an employee. Terminations are subject to review by the Human Resources Manager and approval of the Department Director.

Employees will be provided with a notice of intent to terminate, including the reasons for the proposed termination. A hearing will be held with the employee's Department Director and a representative from Human Resources prior to imposing any proposed termination. At the hearing, an employee will have the opportunity to respond to the information contained

in the notice of intent to terminate. Employees may be placed on Administrative Leave until a formal hearing can be held. The hearing date will be established, in writing, by the Department Director.

After the hearing, the Department Director will issue a written determination. The Department Director may deny the termination, affirm the termination, or modify the discipline to be imposed, based on the Department Director's review and determination. ONLY full-time and benefited part-time employees may appeal a termination decision as set forth herein.

### **Appeal Process**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Employees may appeal a determination by the City to suspend, involuntarily demote, or terminate an employee. Any appeal must follow the procedure outlined below. In computing any period of time described in this section, if the last day of the period falls on a Saturday, Sunday, or City holiday, then the period runs until the next day that is not a Saturday, Sunday, or City holiday.

Any appeal by an employee of a suspension, involuntary demotion or termination shall be filed in writing by the employee within seven calendar days of the date of the notification of the suspension, involuntary demotion, or termination. Written appeals shall state the grounds for the appeal, shall refer to the provision or provisions of the City policy, practice, procedure, rule or regulation alleged to have been violated, and shall set forth the facts pertaining to the appeal. Appeals shall be addressed to the City Manager.

The City Manager will have fifteen (15) calendar days to schedule a hearing on the appeal and notify the employee of the date of the hearing. The City Manager may appoint an individual other than the City Manager to serve as the hearing officer for the hearing. The parties shall have the right to be present and to be represented at the hearing, to present evidence and witnesses, and to cross-examine the other party's witnesses. The City Manager or hearing officer has the authority to compel the testimony of other employees of the City.

The hearing shall not be subject to the rules of evidence governing judicial proceedings. The City Manager or hearing officer shall determine all objections and other matters raised concerning the conduct of the hearing, and may question witnesses.

The City Manager or hearing officer will have fifteen (15) calendar days from the conclusion of the hearing to render a written decision containing findings of facts and conclusions. Such decision shall be final and no further appeal shall be permitted except as provided in Rule 106(a)(4) of the Colorado Rules of Civil Procedure. The time frame may be extended by written notice to the employee.

The filing of an appeal under this section shall stay the imposition of any proposed disciplinary action pending the outcome of the appeal conducted pursuant to this section;

provided, however, that this section shall not be deemed to prohibit the placement of an employee on administrative leave pending such appeal.

### **Administrative Leave** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Administrative Leave may be used at the discretion of a Department Director, subject to review by the Human Resources Manager. Administrative leave for a temporary absence from work with or without pay, to allow time to conduct an investigation, audit, gather additional information, or solve a problem related to an individual's work performance.

## **CONDUCT – SEPARATION FROM WORK**

### **Exit Interview** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Or as requested*

Learning why employees leave is a valuable tool in showing management where changes could be made. This is accomplished through exit interviews.

When you terminate your employment, you will be asked to meet with a Human Resources Office representative for a confidential interview. These interviews are voluntary, and will not affect your ability to return to work for the City in the future.

### **Final Pay** ☒

See Section 7 – Pay and Compensation for details.

### **Lay-Off** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City reserves the right to make all layoff decisions in its sole discretion, based on factors that the City deems relevant. Relevant factors may, but need not, include the City's staffing requirements, employee skills, knowledge, performance and experience. Seniority need not be considered if the City determines in its sole discretion that other factors are more relevant.

A Department Director, with the approval of the City Manager and in consultation with the Human Resources Manager, may separate an employee for lack of funds, curtailment of work, and/or change in operations or organizational structure. The City may immediately relieve an employee of further duties and will compensate the employee's salary and



benefits for at least two weeks. Employees will receive full compensation for accrued and unused Personal Leave Bank hours (PLB) and compensatory time.

All benefits will end in accordance with current plan year guidelines, unless other arrangements are approved by the City Manager. The employee will have an independent right to elect COBRA coverage to continue health, dental, and vision insurance. In the event of a layoff, the employee may elect COBRA for up to 18 months at the full premium plus any administrative fees.

## **Resignation** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

For resignations the City requests employees give a minimum of two weeks written notice. Managers and Department Directors are requested to give four weeks notice. This notice must be given in writing to your supervisor, who will forward it to the Human Resources Office for processing. The Human Resources Office will schedule an exit interview to solicit your comments on City policies and practices, or on any other aspect of the job, and discuss benefits continuation policies, and your final paycheck. Your final paycheck will be issued on the next scheduled pay day for the pay period in which your resignation is effective. Prior to issuance of your final paycheck, all City property assigned to you must be returned, prior to your last day of employment.

The City does not recognize the concept of “terminal leave.” Once you submit a resignation, a date certain for your last day of employment will be established. With the exception of intermittent leave approved by your Department Director, you are fully expected to be actively at work during your notice period. You may not use any balances in your Paid Leave Bank to extend your term of employment with the City.



## **Section 4**

# **DEVELOPMENT OPPORTUNITIES**

## **SECTION 4 – DEVELOPMENT OPPORTUNITIES**

### **Conference and Travel Expense** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

### **Purpose and Scope**

This policy pertains to all travel and all travel-related expenses. This policy does not apply to social gatherings where the City encourages attendance of employees, elected officials, and their spouses. This policy does not apply to costs incurred for employee recruitment. All travel where an employee expects to incur reimbursable travel expenses, must be approved in advance by the employee's Department Director. The City Manager must approve travel requests from Department Directors. Both the employee's Department Director and the City Manager must approve all travel which an employee expects to incur over \$1,000 in reimbursable travel expenses. If more than one (1) employee is attending the same conference, seminar, or meeting, the \$1,000 threshold for Department Director and City Manager approval applies to the group, not the individual employees. All travel requests and signatures of approval will be documented on a Travel Request Form (See Appendix D).

### **Acceptable Reimbursable Travel Expenses**

Upon proper approval of the Travel Request Form, the City will reimburse all travel-related expenses such as commercial transportation, lodging, meals, tips, registrations, parking fees, communication charges, and other business-related expenses at actual cost. The City will not reimburse travel-related expenses for the spouse or other personal guests of an employee or elected official, unless the City has required or encouraged their participation. Examples of non-reimbursable entertainment expenses include, but are not limited to, alcoholic beverages, theater tickets, and sporting event tickets.

***Transportation.*** Reimbursement of transportation and related expenses will be based upon the least expensive mode of transportation available, unless a more expensive mode is necessary due to business-related requirements. In determining the least expensive mode, commercial bus service will be excluded. The City will reimburse the use of privately owned vehicles for City business at the mileage rate set by the Internal Revenue Service, at the time of travel.

***Lodging.*** Reimbursement of lodging and related expenses will be based on what is a normal and reasonable cost for the area. Proximity to a conference, seminar, or meeting will also be taken into account. If a double room is required because a spouse or personal guest has accompanied an employee, the City will reimburse only the cost of a single room. The City will reimburse any business-related communications costs (telephone, fax, internet access, etc.). The City will not reimburse the costs of in-room movies or personal communications costs.

***Meals.*** Reimbursement for meals will be based on a standard meal and incidental allowance. This allowance will equal the maximum Continental United States (CONUS) rate as established by the U.S. Government Service Administration (GSA). To receive the

standard meal allowance, an employee must be traveling away from home. Travel away from home is defined as travel during which an employee has to stop for sleep or rest. An employee not traveling away from home will receive an actual cost reimbursement for eligible meal expenses.

If an employee is not traveling for an entire 24-hour day, the employee must prorate the standard meal allowance by dividing the day into 6-hour quarters as follows:

- 1) Midnight to 6 a.m.
- 2) 6 a.m. to noon
- 3) Noon to 6 p.m.
- 4) 6 p.m. to midnight

Employees can claim 1/4 of the full-day standard meal allowance for each 6-hour quarter of the day during which they are traveling away from home.

If meals are included within a registration fee (for example, a conference banquet) the standard meal allowance will be reduced based on the GSA Rates Table shown below. Complimentary continental breakfasts are not considered meals and will not reduce a daily standard meal allowance.

GSA M&IE Rates Table.						
M&IE Total	\$39	\$44	\$49	\$54	\$59	\$64
Breakfast	7	8	9	10	11	12
Lunch	11	12	13	15	16	18
Dinner	18	21	24	26	29	31
Incidentals	3	3	3	3	3	3

### **Employee Advance for Anticipated Travel Expenses**

Once the Travel Request Form has been approved, an employee is eligible to receive a cash advance up to the total amount of travel-related expenses estimated on the Travel Request Form. The Finance Department will determine whether an advance is made from petty cash or through the accounts payable process. To receive a travel advance, the employee must enter the amount requested in the appropriate area on the Travel Request Form, have it signed by the Department Director and submit it to the Finance Department. A Travel Request Form containing a request for travel advance should be submitted well in advance of the first day of travel. Employees are encouraged to use a City purchase card for major travel-related expenses, such as airline tickets, hotel charges, and conference registrations.

### **Request Travel Expense Reimbursement**

After travel has been complete and reimbursable travel-related expenses have been incurred, employees must complete a Travel Reconciliation Form to receive reimbursement

or to reimburse the City for an overpayment of an advance. A Department Director must approve all Travel-Reconciliation Forms. In the case of a travel reimbursement request by a Department Director, approval is required from the City Manager or Finance Director. In the case of a travel reimbursement request by an elected official, either the City Manager or the Finance Director must sign the Travel Reconciliation Form.

Within 2 weeks of returning from travel, employees shall submit a properly authorized Travel Reconciliation Form to the Finance Department. Only travel expenses for which the employee is entitled to reimbursement shall be entered on the Travel Reconciliation Form.

If an employee is requesting a reimbursement, the Travel Reconciliation Form along with receipts shall be delivered to the Finance Department. If the City is due a reimbursement (due to an advance exceeding the actual costs), the Travel Reconciliation Form along with receipts and a sealed envelope containing the reimbursement funds shall be delivered to the Finance Department.

The Finance Department will maintain a file of all Travel Reconciliation Forms and will match each Travel Reconciliation Form to its corresponding Travel Request Form. Upon receipt of a completed Travel Reconciliation Form, the Finance Department will perform a review to determine compliance with City policy. Any non-compliance, missing information, etc. will be reported to the employee, the employee's Department Director, and/or the City Manager. If compliance is not achieved within 5 days from the Finance Director's notification, the City Manager will be notified, the employee will be prohibited from incurring any additional reimbursable travel expenses, and the necessary disciplinary action will be taken to gain compliance.

### **Compensable Travel Time**

Travel time for non-exempt (non-salaried) employees during normal off-duty time may be compensable and shall be compensated according to the Fair Labor Standards Act (FLSA).

***Home to Work Travel.*** An employee who travels from home before the regular workday and returns to his/her home at the end of the workday is engaged in ordinary home to work travel, which is not considered work time.

***Home to Work on a Special 1-Day Assignment in Another City.*** An employee who regularly works at a fixed location in one city is given a special one-day assignment in another city and returns home the same day. The time spent in traveling to and from the other city is work time, except that the employer may deduct (not count) that time the employee would normally spend commuting to the regular work site.

***Travel That is All in the Day's Work.*** Time spent by an employee in travel as part of his/her principal activity, such as travel from job site to job site during the workday, is work time and must be counted as hours worked.

***Travel Away from Home Community.*** Travel that keeps an employee away from home overnight is travel away from home. Travel away from home is clearly work time when it cuts across the employee's workday. The time is not only hours worked on regular working days during normal working hours but also during corresponding hours on nonworking days.

## **Performance Evaluation** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*

The City's expectation is that all employees receive regular informal feedback. Supervisors would be encouraged to provide written feedback to new employees at the six months time frame.

The City's system of performance evaluation provides a basis for the following:

- An annual evaluation of your work performance in a fair and consistent manner.
- A method for immediate corrective action when the work performance in any area of your assigned job duties does not meet expectations.
- An evaluation of your work performance recorded on a form which is easily visualized and understood by you.

After completing your initial provisional period, your performance will be reviewed annually on the anniversary date of your employment. This date will change if you are promoted to a new position, take a leave-of absence in excess of 90 days, are demoted, or your position is reclassified. For Police Department employees, below the level of Commander, your performance will be reviewed annually on or before March 1.

Performance evaluations are tools to discuss performance according to standards established for your position; to discuss your goal accomplishment; to provide you with feedback on your progress; and to determine any adjustments to your salary.

An employee may be placed on a Performance Improvement Plan when an employee's performance is inconsistent and/or unacceptable. (See Section 3 – Conduct/Corrective Action for more details).

## **Professional Associations** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The City may approve memberships for employees in certain trade and professional associations in which it wants to be represented. Memberships are requested and approved through your Department Director, and are subject to budgetary considerations.

Employee participation in trade and professional association activities will be considered as hours worked for pay purposes, up to the amount of hours in your normal work day. Non-exempt employees who are afforded professional association membership will be compensated in accordance with the provisions of the Fair Labor Standards Act.

## **Promotions**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

It is the City's policy to fill new positions and vacancies with individuals who are, in the City's opinion, the most qualified applicants. Whenever possible, new positions and vacancies will be filled from within the City.

An employee's eligibility for promotion will be determined by the requirements of the new job. In addition, the employee must have held his/her current position for at least six months, have a satisfactory performance record, and have no adverse disciplinary actions during the same period.

Employees who have demonstrated good work habits, have maintained good attendance records, and who want to accept more responsibility are considered prime candidates for promotional opportunities where they meet minimum qualifications established for the position. Individual growth and initiative displayed by participation in both formal and informal job training and professional certification programs is also a consideration.

If an employee is promoted, the salary will be adjusted to the minimum of the new salary grade, or 5%, whichever is greater. The employee will be placed in a provisional status in his/her new position for a period of 180 calendar days and have as a new anniversary date the effective date of the promotion. Failure to satisfactorily complete the provisional period in the new position may result in the employee being returned to his/her previous classification and salary, if a vacancy is available. Where a vacancy is not available, the employee may be placed in a layoff status.

## **Reclassifications**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

City job classifications are generally reviewed on an annual basis in conjunction with the budget process. Typically this occurs during the first quarter of the year.

When an employee believes his/her job duties have significantly changed, the employee should discuss this with his/her supervisor. If the supervisor agrees the employee's job duties have changed, a written request for reclassification must be submitted by the Department Director to the Human Resources Office. Requests for reclassification will be considered annually, in conjunction with the budget process.

The Human Resources Office will review the requests with the City Manager's Office. The City Manager will determine if an evaluation of the position is warranted. A Position Questionnaire will be sent to the employee and the supervisor to complete. Human Resources may conduct a job audit, interview, or any other evaluation method to determine

the merits of the request. This evaluation may result in a decision to upgrade, downgrade, or leave the job at the same level.

The employee's annual performance ratings or length of service are not factors in determining if a reclassification should occur. The needs of the City, and the actual change in duties and responsibilities are the factors that will be used.

If the position is reclassified, the employee will not be required to complete a new provisional period but a new anniversary date will be established on the effective date of the new classification. If the position is reclassified upward the salary will be adjusted to the minimum of the new salary range, or 5%, whichever is greater. If the reclassification results in the position being placed in a lower salary grade, the salary will be adjusted to the closest step in the new range that does not result in a salary reduction, provided that the employee cannot exceed the maximum established for the range.

### **Temporary Assignments** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

If an employee is requested to serve in a supervisory or management capacity for a period greater than three consecutive weeks (fifteen working days), the City Manager may approve a temporary salary increase up to a ten percent or the minimum of the salary grade, which ever is greater, for the time period during which you serve in the acting capacity.

Upon completion of the employee's acting appointment, he/she will be returned to his/her regular salary grade.

### **Training Opportunities** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City is committed to providing quality service to its citizens. It recognizes the need to provide training opportunities for employees to enhance their job-related skills and personal development. The Human Resources Office is responsible for the development of a training program that may include the following areas:

- supervisory training;
- customer service training;
- computer use and application training;
- human relations skills training; and
- general training.

In addition, City departments may provide technical training opportunities so that employees may obtain job-related certifications and skills. Attendance at seminars and training programs is limited to funds availability, and is subject to the approval of the Department Director.

### **Tuition Reimbursement** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Refer to Section 2 – Benefits, to learn more about the City's Tuition Reimbursement program.

### **Transfers (NEW)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Transfers occur when an employee moves from one position to another position. At the City's option, a position may be filled by transferring an employee from one position to another as long as the employee meets the minimum qualifications.

The City Manager may initiate an interdepartmental transfer of the employee if the City Manager deems it to be in the best interests of the City. A Department Director may initiate a transfer of an employee within the department, if the Department Director deems it to be in the best interests of the City, and the transfer is reviewed by the Human Resources Manager in advance of the intended action.

A transfer could be initiated, but not limited to, situations where an employee's position in the City could potentially represent a conflict of interest, potential layoff, position reclassification, cross training opportunities, accommodations pursuant to the American's with Disabilities Act, or the changing needs of the organization.



## **Section 5**

# **GENERAL POLICIES**

## **SECTION 5 – GENERAL POLICIES**

### **Breaks**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Departments are authorized to schedule work breaks at or about the midpoint of the first half of your shift, and at or about the midpoint of the second half of your shift. They are scheduled by your immediate supervisor. You are paid your normal wages while on a work break. These break periods may not exceed 15 minutes.

If your Department has formal, scheduled work breaks, and you choose to work through the authorized break, you will not receive any additional compensation for work done in lieu of your taking the break. Work breaks may not be combined with your lunch break.

Your lunch break will normally be scheduled to fall about the halfway point of your regular work shift. Lunch breaks will be determined according to the operational needs of your department and are unpaid. Variations in the length of your lunch break may occur due to operational considerations.

### **Cell Phone and Pagers**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Please see Section 10 – Administrative Policies, for more information.

### **Certification**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Some positions require certification. Prior to a new hire starting with the City and if required, a copy of the appropriate certification(s) is to be provided to the Human Resources Staff for placement in the employee's personnel file. The employee is responsible for maintaining his or her certification while employed. In order to ensure proper compensation and/or continued employment, copies of renewed certifications must be provided to the Human Resources Staff for placement in the employee's personnel file as well.

## **City Vehicles** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City provides a limited number of City cars for employees to use during the course of their work day for City business. When a City car is not available you may be required to use your personal motor vehicle to conduct City business. Where this occurs, you will be reimbursed at the rate then in effect as set by the Internal Revenue Service. Forms for reimbursement are available from the Finance Department.

When conducting City business in your personal motor vehicle, you are expected to keep it clean, neat, and in good working condition. You are also required to maintain the minimum requirements of insurance coverage. Proof of insurance coverage may be required by the Finance Department on a periodic basis.

While on City business in your personal motor vehicle, should you be charged with a violation of the traffic ordinances of the City of Louisville or the vehicle and traffic laws of the State of Colorado, or are involved in an accident which results in damage to the person or property of a private citizen, business or other government jurisdiction, you must notify your immediate supervisor at once and notify and report the accident to the appropriate law enforcement officials. In addition, documentation outlining the event, date, time, and names and addresses of all involved may be required to be submitted to City's insurance company.

The City reserves the right to impose discipline up to and including termination when employees are involved in incidents that result in property damage or personal injury and to seek to recover from such employees' damages permitted by law relating to such losses. An employee may be required to take a drug and/or alcohol test in cases of loss or damage to equipment or property (See Alcohol and Drug Free Workplace – See Section 10 - Administrative Policies).

## **Driver's License** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Many positions with the City require employees to have a valid Colorado driver's licenses as a condition of employment. You may be requested at any time to provide proof of a valid driver's license during your employment, if you are required to drive a City vehicle.

If your driver's license is suspended or revoked or denied or you receive a Driving Under the Influence (DUI) or a Driving While Ability Intoxicated (DWAI) conviction, and your job

requires that you have a driver's license, you must notify your supervisor immediately. Failure to do so will result in disciplinary action, up to and including termination.

If your license is lost or in jeopardy for any reason, the situation will be evaluated. You may be given consideration for reassignment to a position that does not require driving if you meet the minimum qualifications of the position and have a satisfactory performance record with the City.

### **Emergency Closures and Inclement Weather**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The following policies must be followed in the event inclement weather or other events that require temporary emergency closure or delayed opening of City facilities:

1. City facilities will maintain normal operations and operating hours unless the City Manager issues a notice of emergency temporary closure or delayed opening. The decision regarding the emergency temporary closure or delayed opening of City facilities rests with the City Manager.
2. Except in instances of emergency temporary closure or delayed opening, City facilities will observe normal hours and operations. All employees unable to reach their worksite due to inclement weather must use accrued Paid Leave Bank, accrued compensatory time or leave without pay. Such absences shall be authorized by the employee's supervisor.
3. Employees should check the City website, call the City's emergency information line (303) 335-4535 or monitor early morning radio reports on KBCO FM or KOA AM to obtain any closure information prior to reporting on effected days.
4. Regular employees who reported to work and are sent home due to a subsequent closure (example – 11:00 a.m. closure), **or** who were scheduled to begin work subsequent to the closure, and therefore had not as yet reported in, will be credited for the entire scheduled work day.
5. Regular employees who were scheduled for work hours prior to the closures, who were unable to report to work, will be granted the option of utilizing any accrued Paid Leave Bank or accrued compensatory time in lieu of receiving leave without pay.
6. These provisions do not apply to positions that are directly related to public safety, **or** any other City operated twenty-four (24) hour operations.

## **Employment of Relatives** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Applications for employment from relatives of employees, public body members and officers will be considered with other qualified applicants. Restrictions will apply to prevent potential problems of supervision and security, specifically; relatives will not be hired, promoted, demoted or transferred in the following circumstances:

1. Relatives may not directly or indirectly supervise or be supervised by another family member.
2. Relatives will not be placed in positions where they work with or have access to sensitive or confidential information regarding relatives or where they would audit, verify, receive, or otherwise be entrusted with monies received or handled by a relative.
3. Relatives will not be placed in positions if such placement is a violation of any City Charter or ordinance.

The City may provide a reasonable time for related employees to resolve the matter if their working relationship is contrary to this policy, or if their relationship causes or, in the City's opinion, could cause a conflict of interest or management problems of supervision, safety, security or morale. If a resolution is not possible, subject to applicable law, the City may require one or both of the related employees to transfer or to resign.

For purposes of this section, *a relative* means any person related to a public body member, officer or employee of the City by blood or marriage, in any of the following degrees: parents, spouses, children (including step and adopted children), brothers, brothers-in-law, sisters, sisters-in law, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, grandchildren, and children-in-law. Additionally, *relative includes* domestic partnerships and other parties who are within the employee's immediate household. A separation between spouses does not terminate the relationships described herein.

## **Job Descriptions** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Each position within the City is classified and identified with a job description and a job title. Job descriptions are prepared in cooperation with the Human Resources Staff and the Department Directors. The purpose of a job description is to make the duties and responsibilities of the position clear to the employee and the supervisor, and in some cases, to detail the level of authority of the position. If significant changes in job duties and/or job responsibilities have occurred, this may indicate a need to request an audit of the

position. Any modifications to existing job descriptions will be reviewed and approved by the Human Resources Manager.

### **Keeping Employee Records Current** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

You are responsible for keeping the Human Resources Office informed of any change of name, address, home and/or cell phone number. This is important in case the city finds it necessary to contact you in an emergency or for administrative purposes, and to ensure your payroll and tax records are correct.

### **Media Relations** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City of Louisville is a “public entity” and has a responsibility to provide certain information to the public. Because much of what we do is of interest to the general public, we receive many inquiries from the news media. Much of the information we possess or have access to is a matter of public record, and can be legally released to anyone who asks for it. However, some information we have may be confidential, privileged, or legally sensitive and may be subject to restrictions or prohibitions from public access.

Because there are situations where the definition of what is a “public record” and what is confidential or sensitive is not clear, we need to be careful about releasing specific information. It is impossible to “take it back” once a piece of information is released. Once a person hears what you say or reads a document you provide, it is public. Here are some guidelines to follow when dealing with the release of information:

- Never assume information will be held in confidence. Once information leaves your custody, you have no control over what is done with it. Nothing is “off the record.”
- Always check with your Department Director if there is any question about whether a piece of information should be released.
- Do not attempt to answer questions from the media if you are not sure whether the information should be released. Refer the media to your Department Director or to the City Manager.
- Never offer opinions, inferences, conjecture or rumors in a context where they may be taken as facts. Because you represent the City of Louisville, things you say will be considered “official.” You should not repeat anything publicly if you do not have personal knowledge of the facts.
- The City Manager may designate certain employees as authorized spokespersons to release information to the news media. Other employees should refrain from

- The City Manager, on advice of the City Attorney, will be the final authority on matters of what is and is not a “public record.” Questions about what information may be released should be referred to the City Manager’s Office.
- Attorney/Client Communications should not be released.

### **Personnel Files**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

An employment history for each employee is on file in the Human Resources Office. You may review your personnel file in the presence of a Human Resources Staff during normal working hours. Your file may also be reviewed by your Department Director, your immediate supervisor, prospective supervisor, the City Manager, and the City Attorney. Unless otherwise required by law, the information in personnel files is confidential and may not be used or divulged to others without the employee’s written permission.

Occasionally, outside agencies call to verify employment or ask for information they need to conduct their business. Please direct all these phone calls to the Human Resources Staff. Human Resources Staff will only release the following information:

- Employee’s position title
- Employee’s length of employment with the City of Louisville
- Current status with the City: Active, Inactive, or Former employee
- If a former employee, the termination date may also be released.

Additional information requires a release signed by the employee, unless the “Colorado Open Records Act” mandates the release. Certain documents contained in your personnel file are considered to be a “public record,” as determined by the Colorado Revised Statutes (CRS ~24-72-204). These documents are: your application for employment or resume, and your last or latest performance evaluation. These documents may be reviewed by a third party.

The official personnel records for all city employees are maintained by the Human Resources Staff. All personnel actions shall be forwarded to Human Resources for inclusion in the employee’s personnel file. The official personnel file includes but is not limited to the following: Personal Action Requests (PARs), records documenting promotions, reclassifications, pay increases, hiring and separation information, copies of all written disciplinary actions against the employee, letters of commendation, training certificates, copies of education and training request forms, performance evaluations, the employee employment application, and any other documents containing information directly related to the employee’s employment with the City. Documents placed in employee’s files are considered part of their permanent employment record.

## **References – (Personal) ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

According to Colorado law, employers are granted immunity when providing references about an employee to a prospective employer, as long as the information is accurate and documented. Therefore, the City requires all Department Directors, Managers, Supervisors, and co-workers who are approached either formally or informally and asked to provide information about a current or former employee of the City of Louisville to refer all such inquiries to the Human Resources Staff. Department Heads, Managers, Supervisors, and co-workers, at the authorization of the Human Resources Manager or the City Manager, may release references.

## **Searches and Inspections**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*
- 

The City reserves the right to conduct reasonable searches and inspections of employees, any City offices desks, city-owned electronic devices, tools, vehicles, equipment, papers, and documents or work space without notice. Employees should have no expectation of privacy in the workplace or on City property with respect to these searches or inspections at any time.

Searches can be authorized by a city supervisor or others in the supervisory chain.

## **Telephone Use ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Telephones should be answered promptly. All callers to the City should be treated with dignity and respect. When answering the phone, you need to greet the caller, and identify yourself and your department, division, or office. City telephones are to be used to conduct City business. Employees should not use the City telephone for personal long-distance phone calls or for any solicitations.

If you should receive an abusive phone call that you feel you cannot handle, take the caller's name and number and advise him or her that you will have your supervisor return their call. You are not required to take any verbal abuse; you are also not to engage in an argument with a caller. Calls of this nature need to be referred to your supervisor at once.



## **Uniforms and Equipment** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City may furnish uniforms, clothing and/or equipment. All uniforms, clothing and/or equipment provided by the City for employees are the property of the City and, if required, shall be returned to the City upon an employee's separation from employment. Failure to return City property upon an employee's separation from the City will result in a cash deduction from his or her final paycheck in an amount determined by the City to be equivalent to the replacement cost of such clothing and/or equipment.

This is a taxable fringe benefit and will be reflected on the employee's W-4 other than 7K Exempt employees as provided by law.

## **Volunteers** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City of Louisville encourages and welcomes citizens to become actively involved in their community by volunteering their time and talents for the City in a variety of ways. Staff that recruit and utilize volunteers for city programs should follow the Volunteer Policy (See Section 10 – Administrative Policies for more details).

## **Work Assignments and Work Schedules** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Your daily work schedule, including starting time, lunch and work breaks, and ending time is set by your Department Director. This schedule is based on operational considerations in providing services to the citizens of Louisville.

You must get your immediate supervisor's advance approval for any adjustment or changes to your standard work schedule. Such changes may not be made unless it is compatible with operational needs. Non-exempt employees are required to maintain their standard work schedules, unless prior authorization is given to do otherwise.

During an emergency, a supervisor may make temporary schedule changes.

**Work Periods ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City's standard work week consists of forty hours. The work week begins at 0001 hours (one minute after Midnight) on a Saturday, and ends at 2400 hours (Midnight) the following Friday. Your department's schedule is determined by the priority level of required citizen services. All hours worked in excess of 40 hours (for non-exempt employees), will be paid at the overtime rate.

For 7K Exempt employees the City's standard work week consists of 80 hours occurring within 14 consecutive 24 hour periods beginning at 0001 hours (one minute after Midnight) on a Saturday, and ending at 2400 hours (Midnight) the following Friday. All hours worked in excess of 80 hours (for 7K Exempt) employees will be paid at the overtime rate.

# **Section 6**

## **HIRING**

## **SECTION 6 – HIRING**

### **Employment Status** ☒

During the course of your employment with the City, you will be classified in one of the following position categories:

Full -Time – A position regularly scheduled to work 40 hours per designated seven-day workweek. A full-time employee is eligible to participate in employee benefit and leave programs.

Benefited Part-Time – A position regularly scheduled to work thirty to thirty-nine hours in a designated seven-day workweek and approved by Human Resources. This classification is sometimes referred to as “regular part-time”. Benefited part-time employees may participate in the City’s retirement plan, and are eligible for employee benefit and leave programs on a prorated basis.

Part-Time - A part-time position or combination of positions which has been established for specific work or projects, approved by Human Resources, and regularly scheduled to work less than thirty (30) hours in a designated seven-day workweek. The City may, at its discretion, terminate funding for a Part-Time (less than 30 hours per week) position at any time. A Part-Time (less than 30 hours per week) employee is not eligible to participate in employee benefit and leave programs.

Seasonal – A seasonal position is an appointment to a position for a specific period of time, for a designated season, but not to exceed 181 days including Saturdays and Sundays. There is a 45-consecutive day-period in which an employee is not working in the occupation. Seasonal employees are not eligible to participate in employee benefit and leave programs.

Intern – A paid or unpaid “Temporary” employee who works as an apprentice or trainee in an occupation or profession to gain practical experience.

Temporary – A position, either full-time or part-time, which has been established for a specific period of time, and for either a specific project or group of assignments. The duration of a temporary position will not exceed a six month period, unless otherwise specifically designated by the special project, federal or state program, or federal or state grant which is funding the position. The City may, at its discretion, terminate funding for a temporary position at any time. A temporary employee is not eligible to participate in employee benefit and leave programs.

Provisional – All new full-time and benefited part-time employees serve in a provisional period of six (6) months. Newly hired police officers serve in a provisional period of one (1) year. Current employees who are either promoted or demoted to new positions serve in a provisional period of six (6) months in the new position. Employees whose job performance has been unsatisfactory, or who are unable to perform the full duties of their position, may be placed on provisional status for up to ninety days to determine their suitability for continued employment with the City.

## **Orientation** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City's orientation program is designed to help you familiarize yourself with your new job. This is an opportunity to ask questions and get acquainted with other people who work for the City. You will attend a general orientation in Human Resources where you will complete the necessary new-hire paperwork and learn about the City's values and expectations as well as benefits and general safety guidelines.

You will also receive an orientation by your supervisor and/or Department Director that addresses issues specific to your job and department. This may include information on department policies and procedures, job description, job expectations, evaluation form, work schedule, time sheet/card, leave requests, how to report an absence from work, etc.

## **Promotions** ☒

Refer to Section 4 – Development Opportunities for more details

## **Provisional Period** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The provisional period is designed to be a get acquainted time for both the employee and the City. All employees in a new position are placed in a provisional status for a minimum of six months (180 calendar days). The provisional period for sworn law enforcement personnel (7K Exempt) is one year (365 calendar days).

During the provisional period, the employee's performance may be evaluated by the City. The employee should use this period to evaluate how satisfying his/her work with the City will be. The employee's performance will be formally reviewed by both the supervisor and Department Director. While your supervisor or Department Director may conduct a formal review at any time, the employee's provisional evaluation will normally be scheduled for completion prior to the end of your provisional period.

During the employee's provisional period he/she may terminate his/her employment at any time, without prior notice to the City. Likewise, the City may terminate the employee's employment.

You will be eligible for a salary adjustment at the satisfactory completion of your first year.

Your Department Director may request an extension of the provisional period for up to 90 days if it is determined that the initial period is not sufficient to adequately assess satisfactory job performance. During this extension of the employee's provisional period the employee is free

to terminate his/her employment at any time, without prior notice to the City. Likewise, the City may terminate your employment at will.

All full and benefited part-time employees serve a provisional period following a new appointment, promotion, or demotion. The provisional period may not apply to positions appointed by the City Manager, or temporary and seasonal employees.

### **Recruitment and Open Position Postings** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The hiring procedure begins when a Department Director receives approval from the City Manager to either fill a vacant or new position through the process or completing and submitting a personnel requisition form to Human Resources. Unless an exception is approved by the City Manager, all positions are posted as “open”. The position must be posted either internally or externally for a minimum of five (5) business days. Positions may also be posted longer depending on the type of job and ability to recruit and attract qualified applicants. The Human Resources Staff will work with the hiring manager to determine where positions will be posted, advertised, and the appropriate length of time to post a position.

### **References and Background Checks** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The Human Resources Staff or designee will coordinate references and background checks for all positions unless otherwise agreed upon by the Human Resources Manager.

### **Rehiring** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

An employee may be rehired if he or she has left employment in good standing, no major disciplinary actions were issued during their last year of employment and he or she provided the City with a two-week notice of resignation. Department Directors and managers should provide the city with a one-month notice of resignation.

If an employee is rehired for the same position within 180 calendar days from the date of his or her separation, the employee will be compensated at the same pay rate as when he or she

left. The employee will not re-incur the provisional period and will be eligible to accrue benefits at the same rate as when he or she left employment.

### **Selection and Hiring** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The Department Director or hiring manager will coordinate the selection and hiring process with the Human Resources Staff. The Human Resources Staff may provide assistance in updating the job description, screening the applicants, developing interview questions, arranging interviews, and if applicable, organizing the testing dates and times. The Department Director or hiring manager will make the hiring decision with the concurrence of the Human Resources Staff and others as deemed appropriate for the position.

### **Testing** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Job-related tests may be administered for any and all classifications to help determine job qualification and will be administered on a non-discriminatory basis. Depending on the position, the City may also require the successful passing of a physical test and drug screen and other tests as deemed necessary for the position.

### **Transfers** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

See Section 4 – Development Opportunities, for more information regarding Transfers.

### **Verification of Employment** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The Human Resources Staff or designee will verify previous employment and education credentials for all potential employees unless otherwise agreed upon by the Human Resources Manager.

## **Section 7**

# **PAY AND COMPENSATION**



## **SECTION 7 – PAY AND COMPENSATION**

### **Acting Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

See Section 4 –“Temporary Assignment” for additional information regarding acting pay.

### **Bonuses (NEW)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

All employees are eligible to receive a bonus on a lump sum basis. Employees may be eligible for bonuses when the following occurs:

- The employee is temporarily required to do work which is considered to be substantially above and beyond the normal requirements of his/her position.
- The employee is instrumental in developing and implementing a significant cost-savings measure for the City.
- Other situations as deemed appropriate by the Department Director.

Bonuses may be recommended by the Department Director and then referred to the City Manager for review and approval.

### **Call Back Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Sometimes it may be necessary to call individuals back to work either before or after their normal work day. If you are called back to work, and your position is non-exempt from the provisions of the Fair Labor Standards Act, you will be paid a minimum of two hours at your regular hourly rate if called back to work after your normal shift ends. If the call back is made for less than two hours prior to the beginning of your normal shift, the minimum guarantee will not apply.

## **Compensatory Time Accrual and Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

**Non-Exempt:** Employees who are non-exempt from the provisions of the Fair Labor Standards Act may elect to accrue compensatory time, in lieu of paid overtime, at the rate of one and one-half (1.5) hours for each hour worked, subject to the approval of the immediate supervisor and the Department Director. The maximum accrual balance for non-exempt employees is 80 hours at any one time. Overtime hours worked beyond the 80 hour comp time accrual-limit will be paid at time and one-half. Upon separation from City service, all accrued compensatory hours will be paid at the employee's regular hourly rate.

Per the Fair Labor Standards Act (FLSA), non-exempt employees may accumulate up to 240 hours of comp time earned (160 hours of overtime worked) in a calendar year.

Non-exempt employees whose status changes to Exempt will be paid for any earned compensatory hours on the books, over the 40 hours maximum for Exempt employees, at the time the change is made. Payment will be made at the non-exempt hourly rate currently in effect.

**Exempt Status:** Exempt employees may earn compensatory time on an hour for hour basis. The maximum accrual balance for exempt employees is 40 hours at any one time. Any hours earned above the 40 hour limit will be forfeited if not taken in the pay period they are earned. In lieu of granting compensatory hours, the City reserves the option of granting cash payment on an hour for hour basis. Upon separation from City service, all accrued compensatory hours, up to and including 40 hours, will be paid at the employee's regular earnings rate.

Exempt employees may accumulate up to 120 hours of comp time in a calendar year.

**Procedure:** The earning and use of compensatory time must be recorded on the timesheet. Requests for earnings must be accompanied by a completed **Authorization for Overtime form if required by your Department Director**. Requests for usage must be accompanied by a completed **Authorization for Leave form if required by your Department Director**.

## **Death of an Employee (NEW)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Upon the death of an employee, all accrued salary and Paid Leave Bank hours (PLB) and comp time will be paid to the beneficiary designated on the employee's City paid life insurance designation forms. Retirement benefits will be paid to the beneficiary designated on the employee's beneficiary forms. Surviving spouse and children will be notified of COBRA benefits for medical and dental insurance if applicable.

**Demotions** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

An involuntary demotion is a change in appointment status to a position of less responsibility, lower classification, and lower salary. See Section 3, Involuntary Demotion, for more details.

**Direct Deposit** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

In order to enhance security and minimize cost, the City requires employees to have their paychecks automatically deposited to a bank or credit union of their choice. You may have your paycheck distributed in a combination of up to four (4) different banks or accounts.

**Exempt and Non-Exempt Status (FLSA Status)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Your position is classified according to the Fair Labor Standards Act (FLSA), on the basis of its duties and responsibilities, as either exempt or non-exempt from the Act's overtime provisions.

Exempt: Employees occupying positions classified as exempt are not eligible for paid overtime. These positions are, however, subject to the record keeping provisions of the FLSA and employees classified as exempt must record their time on bi-weekly time Reports.

Non-Exempt: Employees occupying positions classified as non-exempt are eligible for paid overtime at the rate of time and one-half for all hours worked in excess of forty (40) per week.

7K Exempt: Law enforcement officers work a fourteen day work period, and any hours worked in excess of eighty (80) hours in that period are compensated at time and one-half.

### **Final Paycheck (NEW) ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

An employee's final paycheck will be available on the normal pay day for the pay period in which the employee's last day of service falls. An employee leaving City employment is responsible for notifying Human Resources of any change in address so that subsequent documents can be appropriately forwarded.

### **Holiday Pay ☒**

See Section 2 – Benefits for details regarding pay on Holidays.

### **Leave without Pay ☒**

See Section 2 - Benefits for details regarding Leave without Pay.

### **Merit Pay (Formerly Salary Increases) ☒**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

Employees who exhibit acceptable job performance may be recommended for a merit pay increase within the assigned salary range of the position and in accordance with the budget. The merit increase shall be supported by a performance appraisal completed by the immediate supervisor and approved by the Department Director. The pay increase raises the level of the employee's base salary and will not, in any case, exceed the maximum of the salary range for the employee's classification as established in the City's Pay Plan. Employees not performing acceptable work are not eligible for merit increase and may be subject to a pay decrease.

### **Overtime Pay (Policy updated effective 08-29-2009)**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

#### **Policy Update -08-29-2009:**

PLB will no longer be counted as hours worked when computing overtime pay.

We try to avoid asking employees to work overtime, but occasionally an employee may be requested to work additional hours. While the City is required to pay an employee for overtime worked, inappropriate or unnecessary overtime may result in disciplinary action.

Exempt employees are not eligible for overtime pay.

All non-exempt employees will be compensated for overtime work at the statutory rate of one and one-half times (1 ½) their regular hourly rate.

Overtime is calculated in the following manner:

- For non-exempt employees the normal work period is defined as 40 hours occurring within seven consecutive 24 hour periods beginning on Saturday at 0001 hours (one minute after Midnight), and ending on the following Friday at 2400 hours (Midnight). All hours worked in excess of 40 during the work period will be paid at the overtime rate or comp time.
- For 7K Exempt employees, below the rank of Division Commander, the normal work period is defined as 80 hours occurring within 14 consecutive 24 hour periods beginning on Saturday at 0001 hours (one minute after Midnight), and ending on the second Friday at 2400 hours (Midnight). All hours worked in excess of 80 during the work period will be paid at the overtime rate.

Administrative Leave, Civil Leave, Comp Time, Extended Illness Bank (EIB) leave, Family Bereavement Leave, Injury Leave, Paid Leave Bank (PLB), Military Leave, and Stand-by Pay, are not counted as hours worked when computing overtime.

Unauthorized or unexcused absences, either paid or unpaid, will not be counted as hours worked when computing overtime.

Time spent in City sponsored or job-related training programs, seminars, and meetings are considered hours worked for the purpose of determining overtime. Taking courses in a public or private institution or pursuing additional education outside of regular working hours is not considered hours worked for the purposes of determining overtime, regardless of whether the activity is job related.

### **Pay Period** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City pays its employees on a bi-weekly basis, twenty-six (26) times in an average year. The pay period begins at 0001 hours (one minute after Midnight) on a Saturday, and ends at 2400 hours (Midnight) on the second Friday. A schedule of pay days is published for each fiscal year. Pay is issued on the Friday following the close of the pay period. On pay day, your net pay is automatically deposited to a bank or credit union of your choice by 9:00 a.m.

## **Pay Practice (Formerly Salary Administration)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City strives to provide compensation for employees that is competitive within an established labor market, is within the City's ability to pay, and where comparable positions in the City's Pay and Classification Plan receive similar pay. Pay ranges for employee classification levels are published in the City's annual Pay Plan.

The City Manager, in consultation with the Human Resources Manager, establishes a compensation plan in which each job title is assigned to a pay range, taking into account factors such as the relative difficulty and responsibility of work and other criteria as deemed relevant.

Pay ranges are established annually via a salary survey with similar sized cities within the defined labor market. The purpose of this compensation survey is to obtain information concerning the wages that are generally prevailing in these surveyed cities for similar work performed (without regard to title only, but with regard to duties and responsibilities comparable to the position surveyed).

## **Paycheck Deductions** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Your pay is subject to the mandatory federal state deductions for taxes, and for Social Security (FICA) and Medicare contribution. The amount of federal and state tax deduction is determined by the federal form W-4 you file with the Human Resources Office.

If you are eligible to participate, an amount representing the current payment level will also be deducted for your ICMA Retirement Plan contribution.

Voluntary deductions may also be made to your pay. These deductions must be requested and authorized by you in writing. They are generally for voluntary insurance programs, deferred compensation, charitable contributions, and repayment of any City loans.

## **Performance Appraisals** ☒

See Section 4 – Development Opportunities for details regarding Performance Appraisals.

## **Promotion Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*
- 

If an employee is promoted, the salary will be adjusted to the minimum of the new salary range, or 5%, whichever is greater. The employee will be placed in a provisional status in the new position for a period of 180 calendar days and have as a new anniversary date the effective date of the promotion. Failure to satisfactorily complete the provisional period in the new position may result in a demotion or termination.

## **Simultaneous Personnel Action Requests (PAR) (NEW)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

When two or more Personnel Actions Requests (PAR) are received affecting pay occur on the same effective date, the new pay range and rate are computed in the following sequence:

1. If more than one personnel action request (PAR) occurs on the employee's evaluation date, a pay increase, if warranted, is first applied before other pay adjustments are made.
2. If the employee is promoted or demoted, the appropriate pay adjustment applies along with any pay range adjustments effective the same date.

## **Stand-by Pay** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

Certain positions require that individuals be available for call back to work. Individuals in those positions must be reachable and able to respond in a timely manner. Being on standby requires that the employee either be near a telephone, or carry a cellular telephone, or carry a pager. If the employee is placed on a stand-by status, and is a non-exempt employee, as determined by the provisions of the Fair Labor Standards Act, the employee will be compensated at the rate of one hour of overtime for each twenty-four period of stand-by time. If you are actually called back to work from stand-by status, the provisions for Call Back pay will then apply.

Police officers who are placed on a stand-by status will receive the larger of actual overtime earned, or stand-by pay, whichever is greater.



## **Time Sheets/ Time Cards** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

All employees will have a time sheet to record all hours worked as well as to record all paid leave time for the week, such as PLB, EIB, comp time, and other types of leave. Leave must be approved in advance, other than unscheduled illnesses. Because operational needs vary, Department Directors may require overtime to be approved in advance. Check with your Department Director regarding his/her requirements regarding overtime and leave slips.

Please note, "Leave Without Pay" requires approval of the City Manager and is only approved for special or extenuating circumstances. For more details see the Leave without Pay guideline in Section 2- Benefits.

The employee must sign his/her time sheet which verifies that the information on the time sheet is accurate before he/she submits it to his/her supervisor for approval. The time sheet is then reviewed and signed by the supervisor and then forwarded on to payroll with the appropriate documentation for processing in accordance with the Payroll Deadlines established by the Finance Department.

Falsifying a time sheet is unacceptable and subject to disciplinary actions up to and including termination.

## **Transfers and Appointment Pay (NEW)** ☒

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

An employee who is transferred to a position will receive the same rate of pay as he or she is currently paid for the similar position. An employee, who is appointed to a new position, may receive a rate of pay that is established by the City Manager in consultation with the new Department Director, the Human Resources Manager, and within the appropriate pay range for the position.

## **Wage Garnishment**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*
- *Seasonal Employees*
- *Temporary Employees*

The City is required to withhold a portion of your earned wages if served with a lawful wage garnishment. An employee may not be given any advance notice of the deduction. The City



will not enter into any discussions or negotiations with the employee's creditors concerning a garnishment. Once an order is received, the City will comply with the order until either the amount of the garnishment is satisfied, or the order is vacated.

The City is required to withhold the amount stipulated when served with a Child Support Enforcement Order. The amount is non-negotiable, and is between the employee and the appropriate Child Support Enforcement Unit.

# **Section 8**

## **DEFINITIONS**

## **SECTION 8 – DEFINITIONS**

**ACTING PAY:** Compensation that may be paid to an employee who serves in an interim appointment.

**ADAAA:** Americans with Disabilities Act Amendment Act, is Federal legislation which provides a comprehensive national mandate for the elimination of discrimination on the basis of disability.

**ADMINISTRATIVE LEAVE:** Paid leave as approved by the Department Director or City Manager for a variety of reasons to include: 1) Emergency conditions where no other leave option exists; 2) Resolve situations that cannot be addressed under existing workforce policies 3) When it is deemed necessary to remove an employee from the work place while an investigation or review ensues.

**ANNIVERSARY DATE:** The date of initial hire or reinstatement of regular employment in a budgeted City position and the date from which Personal Leave Bank (PLB) and Extended Illness Bank (EIB) will be computed.

**APPEAL:** The employee's challenge to a decision made by a Department Director, Manager, or Supervisor with prescribed procedures as outlined in the Personnel Guidelines.

**APPEAL PROCEDURE:** The established procedure to follow when an employee files an appeal.

**APPLICANT:** A person who has completed and submitted a city application required for City employment consideration.

**APPRAISAL DATE:** The date an employee is scheduled to receive a written review of his/her work performance.

**AT- WILL EMPLOYMENT:** A condition where an employment relationship may be terminated at any time by either party, with or without cause or notice.

**BEREAVEMENT LEAVE:** Personal time off from work granted to an employee to attend funeral services connected with the death of a family member.

**BUDGETED POSITION:** A job/position that is funded in the City's annual budget.

**CALL BACK PAY:** Monetary compensation for hours worked when called back to work after an employee's normal shift ends as designated by the Fair Labor Standards Act (FLSA).

**CANDIDATE:** An applicant who is participating in the recruitment for a position.

**CANDIDATE LIST:** A roster of applicants who have successfully completed portions of a recruitment process, (e.g., qualifying examination, panel review, etc.) but have not completed the full selection process.

**CHARTER:** The Home Rule Charter (Charter) of the City of Louisville. The Charter outlines laws and policies to govern the City. The Charter can only be changed by a vote of the

people.

**CITY:** The City of Louisville, Colorado.

**CITY COUNCIL:** The legislative and policy-making body of the City of Louisville as defined in the Charter.

**CITY DEPARTMENT:** A major functional subdivision of City government that is accountable through the Department Director to the City Manager for specific duties.

**CITY MANAGER:** The Chief Administrative Officer of the City or his/her designee during his/her absence.

**CITY SERVICE:** The performance of official duties and responsibilities for the City.

**CIVIL LEAVE:** Jury Duty.

**CIVILIAN PERSONNEL:** Employee(s) not serving in the capacity as defined in Law Enforcement Personnel.

**CLASS or CLASSIFICATION:** A grouping of positions or jobs sufficiently similar in duties, authority and responsibilities that: a) the same descriptive titles can be used; b) the same aptitude or proficiency tests can be used for selection and appointment; c) the same pay range can be applied to all positions within the class.

**CODE OF ETHICS:** Regulatory guidelines established in the Charter which regulates the manner employees must conduct themselves.

**COBRA:** The Consolidated Omnibus Budget Reconciliation Act of 1985, which provides for an employee or eligible dependent to continue group health care coverage for a specific period of time at his/her expense, following termination of coverage for reasons other than the employee's termination from his/her position for gross misconduct.

**COMPENSATION:** The salary/wage, and all other forms of valuable consideration earned by, or paid to, any employee in remuneration for services in any position.

**COMPENSATORY TIME:** Authorized time off, often in lieu of overtime pay, for hours worked above the standard work schedule.

**CONTROLLED SUBSTANCE:** A drug or other substance or an immediate precursor which is defined as a controlled substance under the Colorado Controlled Substance Act, Colorado Revised Statutes. Includes, but is not limited to, marijuana, marijuana concentrate, cocaine, and any scheduled drugs as defined by the Drug Enforcement Administration (DEA) and/or Statute.

**CORRECTIVE ACTION:** An action taken by the Department Director, Manager, or Supervisor with regard to an employee's performance/behavior that may include but not be limited to verbal warning, written warning, suspension, demotion, or dismissal.

**DEMOTION:** A voluntary or involuntary change in status of an employee from one class of work to a different class having less responsible duties, lower qualifications, and at a lower

maximum rate of pay.

**DEPARTMENT DIRECTOR:** The individual responsible for the operation/administration of a City department.

**DEPARTMENT GUIDELINES:** Guidelines issued by a Department Director and approved by the City Manager designed for specific types of activities within a department's operation.

**DEPENDENCE:** Habituation to, abuse of, and/or addiction to a drug, including alcohol.

**DISABILITY:** A physical/mental impairment that substantially limits major life activities to include caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, working, etc. and may be episodic in nature or in remission.

**DISCIPLINARY ACTION:** See Corrective Action.

**DISMISSAL AND/OR DISCHARGE:** A disciplinary termination of employment.

**DOMESTIC PARTNER:** An exclusive committed relationship between two (2) unmarried adult persons who are unrelated by blood, maintain a mutual residence, and share basic living expenses.

**DRINK OR DRINKING:** The consumption or ingestion of any beverage containing any alcoholic content whatsoever, except for the reasonable ingestion of medications containing alcohol, which ingestion shall be subject to the restrictions set forth in these Policies.

**DRUG:** Any substance which is recognized as a drug in the official United States pharmacopoeia or a supplement thereof; intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or animal; and other than food, is intended to affect the structure of any function of the body of man or animal.

**DRUG USE:** The ingestion or consumption of any drug, whether prescription or non prescription, or any legal, or illegal, controlled substance.

**EFFECTIVE DATE:** The date at which a personnel action (change in pay, reclassification, change in job title, etc.) is to occur.

**ELIGIBILITY LIST:** A roster of applicants who have been found fully qualified, (no further process is necessary) through a testing procedure for appointment to a specific position or classification.

**EMPLOYEE OR INCUMBENT:** A person who receives monetary compensation from the City in return for services or work performed on a non-contractual basis, or who is on leave of absence without pay which has been approved by the City Manager. This definition shall exclude elected municipal officials, all volunteer personnel, and retirees from the City.

**EVALUATION DATE:** See Appraisal date.

**EXEMPT EMPLOYEE:** An employee exempt from the overtime provisions of the Fair Labor Standards Act as an executive, administrative, or professional employee.

**FAIR LABOR STANDARDS ACT (FLSA):** A federal law, enacted by the United States Congress in 1938, which sets minimum wage, overtime pay, equal pay, record keeping, and child labor standards for employees who are covered by the Act.

**FAMILY MEMBER:** This includes by blood, marriage, or domestic partnership in any of the following degrees: parents, spouse, children, brothers, sisters, parents-in-law, nephews, nieces, aunts, uncles, first cousins, grandparents, and grandchildren.

**FAMILY MEDICAL LEAVE ACT (FMLA):** A law enacted on February 5, 1993, which entitles qualified employees up to 12 weeks of unpaid leave per a twelve (12) month period for the birth, adoption or placement for foster care of a child, to care for a spouse or an immediate family member with a serious health condition, or when the employee is unable to work because of a serious health condition.

An update to the law effective January 2008 which entitles qualified employees up to 12 weeks of unpaid leave per a twelve (12) month period because of “any qualifying exigency” arising out of the fact that a spouse, son, daughter, or parent of the employee is on active duty, or has been notified of an impending call to active duty status. In addition an eligible employee who is the spouse, son, daughter, parent, or next of kin of a covered servicemember who is recovering from a serious illness or injury sustained in the line of duty on active duty is entitled up to 26 weeks of leave in a twelve (12) month period. The military caregiver leave is entitled to a combined total of 26 weeks of all types of FMLA leave.

**FRINGE BENEFITS:** All benefits authorized by the City other than the direct salary paid to a given employee including but not limited to Personal Leave Time, Extended Illness Bank, paid holidays, insurance coverage, etc.

**GENDER:** Males or females as a group, a sex-based category. Note: the terms of this Personnel Policy apply in the same manner to both men and women.

**HARASSMENT:** Unsolicited or unwelcome advances, requests for sexual favors or other verbal, physical or intimidating behavior that is unwelcome.

**HIS OR HER:** Whenever the masculine or feminine is used in these Policies, such designation isn’t intended to reflect a specific gender, but is used only for administrative conveniences.

**HUMAN RESOURCES:** A division of the organization assigned with the responsibilities of interpreting and administering the philosophies, personnel policies, laws, procedures and practices related to the management of the work force within the organization.

**INJURY LEAVE:** Leave granted to an employee who has suffered a job-related injury or illness as determined by the City, its worker’s compensation or other insurance carrier.

**INSUBORDINATION:** An action demonstrating non-submittal or compliance to authority, insolence, defiance, disobedience or display of rebelliousness.

**INTERIM APPOINTMENT:** A short term change of status made to fill a job vacancy due to a position that is temporarily vacant.

**INTERMITTENT LEAVE SCHEDULE:** Leave, taken by an employee in conformance with an

approved leave schedule under the Family and Medical Leave Act, that results in a reduction in the regular hours worked by the employee on an intermittent basis over a consecutive 12-month period. An employee on an intermittent leave schedule will work some portion of his/her regular work hours during the consecutive 12-month period.

**INTOXICATION:** A condition an employee is in when unable to perform or is hindered in the performance of his/her duties because the employee has been drinking.

**JOB DESCRIPTION:** A detailed statement about the general responsibilities, essential functions, specific duties, and minimum qualifications of a specific position within a given classification, as well as, decision-making responsibilities, level of supervision received and exercised, working conditions, and equipment operated.

**JOB TITLE:** A name assigned to a position that indicates a particular level of rank and specific duties and responsibilities.

**JOB VACANCY:** A position currently not occupied which the City Manager has determined should be filled.

**LAW ENFORCEMENT PERSONNEL:** An employee meeting the following criteria:

1. The employee is a uniformed or plain-clothed member of a body of officers and subordinates who are empowered by statute or local ordinance to enforce laws designed to maintain public peace and order and to protect both life and property from accidental or willful injury and to prevent and detect crimes;
2. The employee has the power to arrest; and
3. The employee is presently undergoing or has undergone or will undergo on-the-job training and/or a course of instructions and study which typically includes physical training, self-defense, firearm proficiency, criminal and civil law principles, investigative and law enforcement techniques, medical aid and ethics.

**LAY-OFF:** The separation of an employee from the City without fault or delinquency on the employee's part. Reorganization, privatization, the lack of work, or the lack of funds may result in the lay-off of an employee.

**LEAVE WITHOUT PAY:** A leave or absence from work for which no pay is due unless otherwise provided by these Policies.

**LIGHT DUTY:** A reassignment of duties, as a result of injury and/or illness, established within the conditions set forth by a physician and subject to the availability of the prescribed duties.

**MANAGER:** An employee who has been placed with the responsibility of managing multiple programs and supervises professional and support staff in a division within a City department and who is directly responsible to a Department Director.

**MARKET RATE OF PAY:** A rate or range of pay for specific positions as defined by a study of a specific labor market as determined by the City Manager.

**MAY:** As used in these Personnel Policies, "may" is permissive.

**MILITARY DUTY:** Training and service performed by an inductee, enlistee, reservist, or any

entrant into any of the Armed Forces of the United States and their auxiliaries.

**MILITARY LEAVE:** Leave from an employee's job to fulfill military obligations.

**NON-EXEMPT EMPLOYEE:** A person in a position covered by the overtime provisions of the Fair Labor Standards Act.

**ON-CALL PAY:** See Stand-By Pay.

**ON-CALL STATUS:** See Stand-By Status.

**OUTSIDE EMPLOYMENT:** Any work other than the employee's primary position in the City performed for monetary compensation including self-employment.

**OVERTIME PAY:** Monetary compensation for hours worked beyond the work period as designated by the Fair Labor Standards Act (FLSA).

**PAY DATE:** The date on which an employee's bi-weekly compensation is paid to him/her.

**PAY PLAN:** The array of pay ranges applying to job titles and job classifications.

**PAY RANGE:** The official range of pay established by the compensation schedule for a classification.

**PERFORMANCE APPRAISAL OR EVALUATION:** An appraisal or evaluation of the quality, quantity, effectiveness, and efficiency of work performed. The appraisal/evaluation is used to communicate with the employee about performance, expectations, department standards, provide positive feedback, define specific areas needing improvement, and to develop a specific growth plan to address learning needs. At minimum, informal appraisals/evaluations are encouraged frequently; formal appraisals/evaluations are required annually.

**PERSONAL LEAVE BANK (PLB):** The hours of leave a benefited employee has accrued from their anniversary date to a particular pay period.

**PERSONNEL:** All persons employed by the City.

**PERSONNEL ACTION REPORT (PAR):** A form used to track changes in employment status or other internal payroll related items.

**PERSONNEL REQUISITION:** A form used to request a position be filled.

**POLICY:** An approved course of action established by the City Manager or other appropriate authority.

**PRIMARY DUTIES:** Those tasks that an individual is required to perform on a regular basis which constitutes the major portion of the job.

**PROMOTION:** Advancement in rank, grade, or position whereby an employee vacates their position to receive the employment status in a higher classification with a higher rate of pay and increased responsibility. Promotions must involve a definite increase in duties and



responsibilities, conform to the compensation pay principles, and shall not be made merely to affect an increase in the employee's compensation.

**PROVISIONAL PERIOD:** The length of time an employee serves in temporary status pending regular employment status.

**RANGE:** The distance between the minimum and maximum rates of pay within a given classification.

**RATE OF PAY:** See Compensation.

**RECLASSIFICATION:** The reassignment of an individual job or position from one class of work into a different class of work as a result of a classification review (audit) and/or amendments to the classification plan based on changes in duties and responsibilities, excluding any action which is disciplinary in nature.

**REHIRE:** The appointment of a former employee of the City in any classification.

**REPRIMAND:** An oral or written notice to an employee informing the employee of an action or course of conduct on their part that is cause for disciplinary action.

**SEPARATION DATE:** The last day an employee works for the City, after which no PLB leave or (EIB) is accrued or used and the rate of pay ceases.

**SHALL/WILL:** As used in these Policies and Procedures, "shall" and "will" are mandatory and generally reserved for policies governed by federal or state laws.

**STAND-BY PAY:** Monetary compensation for hours on stand-by status as designated by the Fair Labor Standards Act (FLSA).

**STAND-BY STATUS:** An employee required during an impending need to be available by a pager or telephone known to the employee's immediate supervisor and/or the Police Department. Such an employee is prepared to report for duty within a time limit, as established by their Department, and is considered to be on stand-by duty until relieved by the employee's supervisor.

**SUPERVISOR:** An employee who has been delegated to direct, control, and evaluate the work of one or more employees and who, in the interest of the employee, has the authority to recommend to hire, promote, suspend, dismiss, lay-off, recall, or discipline other employees, or has the responsibility to direct such actions.

**SUSPENSION:** The temporary separation of an employee from his/her position, with or without loss of pay, for disciplinary action, or for another reason as determined necessary by the employee's supervisor, and for a defined period of time.

**SWORN PERSONNEL:** See Law Enforcement Personnel

**TERMINATION OR SEPARATION:** Either voluntary or involuntary separation of an employee from his/her position with the City resulting from death, dismissal, lay-off, resignation, retirement, or the inability to perform the essential duties of the job/position.

**TERMINATION DATE:** See Separation Date.

**TRANSFER** - Movement of an employee from one position or class of work to a different position or class of work at the same pay range, or changing an employee from one position or class of work to a different department or division in the same pay range.

**UNAUTHORIZED LEAVE OF ABSENCE:** Failure of an employee to notify and receive permission from their immediate supervisor in advance of absence or failure of an employee to report for work at the beginning of their next regularly-scheduled work period. An unauthorized leave of absence includes all or any portion of a workday for which notice and approval have not been provided.

**WORKER'S COMPENSATION:** The insurance or benefits statutorily required to be provided to employees injured on the job.

**WORKDAY:** An employee's scheduled daily hours of employment.

**WORK WEEK:** An employee's schedule of work hours within an appointed week.

# **Section 9**

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## **Section 10**

# **ADMINISTRATIVE POLICIES**

**CITY OF LOUISVILLE  
CDL DRIVER DRUG AND ALCOHOL TESTING  
POLICY AND PROCEDURE  
IN COMPLIANCE WITH  
DOT REGULATIONS  
(Revised 6-26-09)**

**I. Purpose**

The City of Louisville is committed to a safe, healthy and productive work environment for all drivers free from the effects of substance abuse. Drug or alcohol use may pose a serious threat to health and safety. Abuse of alcohol, drugs, and controlled substances impairs driver judgment, resulting in increased safety risks, injuries, and faulty decision-making.

The use of controlled substances and the misuse of alcohol increase the risk of accidents, jeopardize the safe work environment, and cause harm to an individual's health and personal life. The purpose of this policy is to establish procedures to support a safety and health program and to comply with minimum federal safety standards for drivers holding commercial driver's licenses regulated by the Department of Transportation (DOT). These standards were designed to reduce accidents that result from driver use of controlled substances and alcohol.

**II. Applicability**

This policy applies to all drivers who are required to hold a commercial driver's license (CDL) in order to perform their job for City of Louisville. A driver needs a CDL if he or she drives a City of Louisville vehicle:

1. With a gross combination weight rating of 26,001 or more pounds inclusive of a towed unit with a gross vehicle weight of more than 10,000 pounds;
2. With a gross vehicle weight rating of 26,001 or more pounds;
3. Designed to transport 16 or more passengers; or
4. Of any size that is used to transport hazardous materials which require the vehicle to be placarded under the hazardous materials regulations.

For purposes of this policy, a driver is covered by DOT regulations as those



regulations relate to the driver's fitness-for-duty and use of alcohol prior to going on duty, while on duty, or while operating or having physical control of a commercial motor vehicle. DOT testing for controlled substances under this policy requires that drivers abstain from the use of controlled substances at any time or risk violating DOT regulations prohibiting the presence of controlled substances in their body. A driver's participation in this policy is required, and therefore, is a condition of employment.

### **III. Statement of Policy**

1. No driver shall unlawfully manufacture, use, possess, or distribute controlled substances.
2. No driver shall report for work or perform any safety-sensitive functions when the driver has any controlled substance present in his or her body, except when the use is at the instruction of a physician who has advised the driver that the substance does not adversely affect the ability to safely operate a City vehicle. Presence of controlled substances will be determined by testing performed as described in this policy.
3. No driver shall perform safety-sensitive functions within 4 hours after consuming alcohol.
4. No driver shall consume alcohol while performing safety-sensitive functions.
5. No driver shall possess alcohol while on duty.
6. No driver shall report to work or perform safety-sensitive functions while having an alcohol concentration of .04 or greater. Drivers' alcohol concentration will be determined by testing performed as described in this policy.
7. No driver shall leave the scene of an accident, without a valid reason, before arranging to have both a controlled substance and alcohol test performed.
8. No driver shall consume alcohol after an accident unless 8 hours have expired or until the driver has been tested, whichever occurs first.
9. No driver shall refuse to take a required test.
10. A driver shall, when drugs are prescribed by a licensed medical practitioner, inquire of the prescribing practitioner whether the drug prescribed has any side effects which may impair the driver's ability to safely perform the driver's job duties. If the answer from the medical practitioner is yes, the

driver shall obtain a statement from the medical practitioner indicating any work restrictions and their duration. The driver shall present that statement to his or her supervisor prior to going on duty.

#### **IV. Safety Sensitive Functions**

The following are safety-sensitive functions to which the prohibitions on alcohol or controlled substance use of these policies apply. If a driver does any of these activities with respect to a City of Louisville vehicle to which a CDL applies, a driver is considered to be performing a safety-sensitive function:

1. All time at the City of Louisville or shipper plant, terminal, facility, or other property, or on any public property, waiting to be dispatched, unless the driver has been relieved from duty by the City of Louisville;
2. All time inspecting equipment as required by the law or otherwise inspecting, servicing, or conditioning any commercial motor vehicle at any time;
3. All time spent at the driving controls of a commercial motor vehicle in operation;
4. All time, other than driving time, in or upon any commercial motor vehicle except time spent resting in a sleeper berth;
5. All time loading or unloading a vehicle, supervising, or assisting in the loading or unloading, attending a vehicle being loaded or unloaded, remaining in readiness to operate the vehicle, or in giving or receiving receipts for shipments loaded or unloaded; and
6. All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

#### **V. Consequences of Violation of this Policy**

1. **Removal from Safety Sensitive Functions.** If a driver tests positive for a controlled substance or has an alcohol concentration of .02 or greater, the driver will immediately be removed from safety-sensitive functions.
2. **Alcohol Concentration of .02 to .039.** If the results of a driver's alcohol test show an alcohol concentration of .02 to .039, the driver must be off-duty until the driver can provide a test result with an alcohol concentration of .02 or less or be off from work for at least 24 hours.

3. **Return to Duty.** Before a driver returns to duty requiring the performance of a safety-sensitive function after violating this policy, the driver shall undergo a return-to-duty test with a result indicating a verified negative result. To be eligible to return to work after a positive controlled substance test or test indicating an alcohol concentration of .04 or greater, the driver must be evaluated by a Substance Abuse Professional (SAP). If the SAP determines that additional treatment is necessary, the driver must complete such treatment. In addition, the driver will be subject to follow-up testing.
4. **SAP Referral.** The City of Louisville will provide to any driver who violates a DOT drug and alcohol regulation a listing of SAPs readily available to the driver. A driver must complete the program as recommended by the SAP and must test negative for alcohol and controlled substances before returning to safety sensitive functions.
5. **Civil and Criminal Penalties.** Any driver who violates the requirements of the DOT drug and alcohol regulations may be subject to the civil and/or criminal penalty provisions of 49 U.S.C. 521(b).
6. **Other Disciplinary Action.**
  - a. The above consequences are minimum requirements as set out by the DOT. Any violation of this policy may result in discipline, up to and including termination, at a level determined by the City pursuant to its independent authority. Compliance with the above does not guarantee a driver will be returned to work following a violation(s) of this policy.
  - b. A second positive test for alcohol or controlled substances shall itself be grounds for termination; however, the foregoing shall not limit the City's authority to impose termination incident to a first positive test based on the circumstances.

## **VI. Substance Screening**

For the purpose of assuring compliance with the DOT regulations and this policy, applicants for positions requiring a CDL and drivers holding CDLs will be subject to controlled substance and alcohol screening under the circumstances described below. Applicants and drivers are required to submit to testing in the following circumstances as a condition of their employment.

## **VII. Types of Testing**

### **Pre-employment testing**

Applicants for driving-related positions shall undergo a test for the presence of

controlled substances after receiving a contingent offer of employment from the City of Louisville. Under no circumstances may a driver perform a safety-sensitive function until a confirmed negative result is received.

Applicants who refuse to submit to testing will not be hired.

A driver may not be required to submit to a pre-employment test if he or she has participated in a drug testing program in the last thirty (30) days and while in that program he or she was tested for drugs in the last six (6) months or participated in random drug testing for the previous twelve (12) months. This exception will not apply if the City of Louisville has knowledge that any of the driver's prior employers have records of the driver's violation of the DOT drug policies within the last 6 months. Under these exceptions and subject to the driver's written consent, the prior drug testing program in which the driver participated will be contacted for information regarding his or her participation.

For applicants who are hired or transferred into a safety-sensitive position, the City of Louisville will obtain their DOT drug and alcohol testing history from any DOT-regulated company that employed the applicant during the past two years. Applicants who refuse to provide their current and previous employers or who refuse to provide written consent for the City of Louisville to seek this information, will not be hired.

### **Testing for Current Drivers**

#### **1. Post-Accident Testing**

Any driver involved in an accident in which a fatality occurs must immediately submit to a controlled substance test and an alcohol test. Any driver who receives a citation for a moving traffic violation must immediately submit to a controlled substance test (and the City may require testing even if a citation is not issued to the driver, upon its independent authority) and alcohol test if: (a) the accident results in a bodily injury to a person who must immediately receive medical treatment away from the scene; or (b) one or more of the vehicles involved is towed from the scene.

If an alcohol test is not performed within two (2) hours of the accident, the City shall document the reasons for the failure. If an alcohol test is not performed within eight (8) hours of the accident or a controlled substance test is not performed within thirty-two (32) hours of the accident, no further efforts to test will be made, and the City shall document the reasons for the failure.

#### **2. Reasonable Suspicion Testing**

A driver will be required to submit to controlled substance or alcohol test upon reasonable suspicion. Reasonable suspicion means that the actions, appearance or conduct of the driver on duty are indicative of the use and/or presence in the driver's body of a controlled substance or alcohol. Reasonable suspicion is based on specific, contemporaneous, articulable observations concerning the appearance behavior, speech or body odors of the driver.

A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

A driver will not be allowed to return to driving a City vehicle until a confirmed negative test result is received. The driver will remain on paid status pending the receipt of drug testing results by the City.

### **3. Random Testing**

Drivers will be subject to controlled substance testing and alcohol testing at any time on a random basis as a term and condition of holding a driver position. Upon being notified of selection, the driver must immediately proceed to the testing site. If the driver is performing a safety-sensitive function when notified of a test, he or she will need to stop and proceed to the test site as soon as possible.

Random testing will be spread reasonably throughout the year and will be unannounced to ensure that no driver receives advanced knowledge of the time of testing. All drivers will have an equal chance of being selected each time a random selection is made.

The number of controlled substances tests conducted annually shall equal or exceed 50 percent of the number of driver positions subject to testing.

The number of alcohol tests conducted annually shall equal or exceed 10 percent of the number of driver positions subject to testing.

A driver shall only be tested for alcohol while the driver is performing safety-sensitive functions, just before the driver is to perform safety-sensitive functions, or just after the driver has ceased performing such functions.

### **4. Follow-Up and Return to Duty**

Any driver who has been required to or voluntarily undergoes rehabilitation for substance abuse must submit to a drug test and receive a confirmed negative test result and an alcohol test (with a result of less than .02) before returning to work. In addition, the driver will be subject to follow-up testing not to exceed 60

months following the driver's return to work. The number and frequency of follow-up tests shall be determined by the SAP; however, a driver shall be subject to a minimum of six unannounced follow-up tests in the first 12 months of safety-sensitive duty following the driver's return to safety-sensitive functions.

## **VIII. Testing Procedures**

### **1. Controlled Substances**

Controlled substance screening shall be conducted in a laboratory certified by the Department of Health and Human Services (DHHS) and in accordance with the Procedures for Transportation Workplace Drug Testing Programs. All controlled substance screening includes split sampling which provides that a urine sample be split into two separate containers.

The substance screen will test for the following drugs - marijuana, cocaine, opiates, amphetamines and phencyclidine (PCP).

Drivers must present photo identification and sign a consent form before a controlled substance test is conducted.

Any positive initial test will be confirmed by a gas chromatography/mass spectrometry (GC/MS) test.

The City of Louisville shall employ a Medical Review Officer (MRO) who will receive the laboratory results of the testing procedure. The MRO shall be a licensed physician and have knowledge of substance abuse disorders and appropriate medical training to evaluate positive test results, medical history, and any other relevant biomedical information. The MRO shall review all medical records made available by the tested individual when a confirmed positive test could have resulted from legally prescribed medication.

The MRO shall also review all specimens which are found to be adulterated or substituted specimens. In the instances of an adulterated or substituted specimen, the MRO may provide the driver an opportunity to present a legitimate medical explanation. If no legitimate medical explanation is provided, the MRO will report the verified adulterated or substituted specimen to the City. The City will consider the verified adulterated or substituted specimen as a refusal to test and immediately remove the driver from performing safety sensitive functions. The driver may then be subjected to the disciplinary action under the City's independent authority.

The MRO will be the sole custodian of the individual test results and will report the drug test results to the City.

After receiving notification of a verified positive test or of an adulterated or substituted specimen, a driver may request that the split sample be analyzed. Such a request must be made within 72 hours of notification of the verified positive test. If such a request is made, the sample will be tested at another DHHS certified laboratory, at the driver's expense. In order to prevent delay of the test, payment for the test may be taken from the driver's paycheck. Upon written request within 10 days, the driver may obtain copies of any records pertaining to his or her controlled substance tests. The driver will be on paid suspension while awaiting the results of the split sample.

Precautions shall be taken to ensure that the specimen is not adulterated or diluted during the collection procedure and that the information on the bottle matches the information on the custody and control form.

## **2. Alcohol Testing**

Alcohol testing shall be conducted by a Breath Alcohol Technician (BAT) using an Evidential Breath Testing Device (EBT). Only a BAT trained in the operation of the EBT, may administer the alcohol test. Each EBT must have a Quality Assurance Plan (QAP) developed by the manufacturer. The plan shows the methods used to perform external calibration checks using only approved calibration devices. It also describes the minimum intervals for performing the calibration checks for the EBT and specifies the tolerances for external calibration checks within which the EBT is in proper calibration. Finally, the plan specifies inspection, maintenance, and calibration requirements and intervals.

Drivers must present photo identification and sign a consent form before an alcohol test is conducted. The alcohol testing will be administered at a site that affords privacy. Only one breath test will be done at one time. The person giving the test will not leave the testing site during the test.

The driver will provide a breath sample. If a driver's alcohol concentration is greater than .02, a second, confirmation test will be performed. The BAT who administers the confirmation test will be different from the BAT who administered the first test. Before the confirmation test, a 15 minute waiting period will be observed. The purpose of the 15 minute waiting period is to make sure that the presence of mouth alcohol from recent use of food, tobacco, or hygiene products does not artificially raise the test results.

In lieu of an EBT, the DOT regulations permit the use of certain approved non-EBT testing devices to be used for the initial test; the procedures described above may differ if such devices are used.

## **3. Testing Site.**

The City of Louisville's test site is located at:

[Name, Address, Telephone Number]

Office Hours: \_\_\_\_\_

## **IX. Refusal to Submit to Testing**

Refusal to submit to testing is a violation of this policy. Any driver refusing to submit to testing will be referred to a SAP and will face appropriate disciplinary action, up to and including termination. The following behaviors constitute a refusal:

- a. refusal to appear for testing;
- b. failure to remain at the testing site until the testing process is complete;
- c. failure to provide a urine specimen;
- d. in instances of observed or monitored collection, failure to allow observation or monitoring or failure to follow instructions to raise and lower clothing and turn around;
- e. refusal to sign the testing form;
- f. failure to take a second test as directed;
- g. otherwise failing to cooperate in the testing process, including but not limited to:
  - i. refusing to empty pockets when directed;
  - ii. behaving in a confrontational manner that disrupts the collection process;
  - iii. refusing to remove hat, coat, gloves, coveralls when directed; or
  - iv. failing to wash hands when directed;
- h. performance of any actions which prevent the completion of the test;
- i. a test result reported by the MRO as a verified adulterated or substituted test;
- j. failure to provide sufficient or adequate quantities of breath or urine to be tested without a valid medical explanation;
- k. failure to undergo a medical examination or evaluation when directed;
- l. tampering with, attempting to adulterate, adulteration or substitution of the specimen, or interference with the collection procedure;
- m. not reporting to the collection site in the time allotted;
- n. leaving the scene of an accident without a valid reason before the tests have been conducted; or
- o. possessing or wearing a prosthetic or other device that could be used to interfere with the collection process.



## **X. Voluntary Driver Self-Identification Program**

The City supports sound treatment efforts. Whenever practical, the City will assist drivers in overcoming drug, alcohol, and other problems which may affect driver job performance as long as this policy has not already been violated. A driver may not self-identify in order to avoid required testing. The following is required to participate in this voluntary program: the driver makes the admission of alcohol misuse or controlled substances use **prior** to reporting to duty to perform a safety sensitive function, and the driver does not perform a safety sensitive function until the City is satisfied that the driver has been evaluated and has successfully completed education or treatment requirements.

Drivers who seek voluntary treatment prior to a violation of this policy will not be disciplined for making a voluntary admission of alcohol misuse or controlled substance use within the parameters of the program. The driver will be allowed a sufficient opportunity to seek evaluation, education or treatment to establish control over the driver's drug or alcohol problem. To the extent permitted by DOT regulations, the City will determine what it deems to be a "sufficient opportunity," and the driver may be placed on unpaid status and required to use any accrued vacation time and sick leave during such time. Drivers who seek voluntary assistance will be returned to safety sensitive duties only upon successful completion of an educational or treatment program as determined by a drug and alcohol abuse evaluation expert. Prior to the driver participating in a safety sensitive function, the employee shall undergo a return-to-duty test with a result indicating an alcohol concentration of less than 0.02 and/or controlled substance test with a verified negative test. In addition, the City may monitor any driver who voluntarily reports under this provision by conducting unannounced follow-up testing not to exceed 60 months following the driver's return to work.

If the driver elects to enter an appropriate treatment program, the driver may be placed on unpaid status but will be required to use any accrued vacation time and sick leave while participating in the evaluation and treatment program so long as the driver is complying with the conditions of treatment. The City of Louisville will have the right to require verification from the health care provider for a release to work and/or verification of treatment as covered in the City's medical leave policies. More information regarding availability of treatment resources and possible insurance coverage for treatment services is available from the Human Resources Department.

## **XI. City Representative**

Please contact the Human Resources Director at (303) 335-4722, 749 Main Street, Louisville, Colorado, if you have any questions about this policy or wish to discuss issues related to the use of controlled substances or the misuse of alcohol.

## **XII. Inspection and Searches**

The City may conduct unannounced inspection for violations of this policy in the workplace, worksites, or company premises. Drivers are expected to cooperate in any inspection.

## **XIII. At Will Employment**

Nothing in this policy is to be construed to prohibit the City of Louisville from maintaining a safe work environment or imposing disciplinary action as it deems appropriate for reasons of misconduct or poor performance, regardless of whether the misconduct or poor performance arises from drug or alcohol use. Such disciplinary actions may include termination of employment. Employment is at-will and subject to termination by the City of Louisville or the driver at any time, with or without notice and with or without cause.

## **XIV. Confidentiality**

Driver drug testing results and records are maintained under strict confidentiality by the City. They cannot be released to others without the written consent of the driver. Exceptions to these confidentiality provisions include releases to a decision maker in arbitration, litigation, or any administrative proceedings arising from a positive drug test and releases to those authorized by the DOT regulations to receive such information.

## **XV. Information Concerning the Effects of Alcohol and Drug Abuse**

1. **The effects of alcohol and drugs on health, work, and personal life.** There is much information available on this subject; the following is only a brief introduction.

The consequences of alcohol and illegal drugs abuse extend far beyond the individual user. Impaired drivers put themselves, fellow workers, and other users of our highways in danger. Drivers with drugs or alcohol in their systems are less productive and more likely to injure themselves or other persons in an accident.

Alcohol- and drug-abusing drivers increase the costs related to lost productivity, absenteeism, accidents, loss of trained personnel, theft, and treatment and deterrence programs. Also, medical costs are higher and are passed on to the employer in the form of higher health insurance rates. Alcohol and drug abuse is costly to both the employer and the driver.

Alcohol is the number one abused drug in this country. Alcohol consumption causes a number of changes in behavior. Even low doses can damage the judgment and coordination necessary to drive. Low to moderate doses increase

the frequency of a variety of aggressive acts. Moderate to high doses cause marked changes in higher mental functions, severely altering a person's ability to learn and remember information. Very high doses cause respiratory depression and death. If combined with other drugs, much lower doses of alcohol will produce the effects described. Long-term consumption of large quantities of alcohol can lead to permanent damage to vital organs such as the brain and the liver.

2. **Signs and symptoms of an alcohol or drug problem.** Drugs can show their effects in many different ways. Some of the most noticeable signs of drug abuse are drowsiness, respiratory depression, constricted pupils, nausea, slurred speech, excitement, loss of appetite, poor perception of time and distance, relaxed inhibitions, disoriented behavior, watery eyes, runny nose, chills and sweats, convulsions, apathy, depression, and the use of drug paraphernalia.

Some of the signs and symptoms of alcohol misuse are the odor of alcohol, slurred speech, staggering, tremors, vomiting, cramps, delirium, loss of appetite, using arms for balance, leaning against walls and doorways, swaying while maintaining balance, and confusion.

3. **Multiple substance abuse.** Multiple substance abuse is abuse of more than one drug, either at the same time or over a period of time and it involves any combination of alcohol, prescription drugs, over-the-counter drugs, and illegal drugs.

Multiple substance abuse is especially dangerous because different substances combine with each other to produce unexpected effects and dangers.

Multiple substance abuse often begins with abuse of a single substance. This may happen because once a person begins to use a drug, abuse of more substances becomes more likely. People who abuse one substance are at a high risk for developing dependence and tolerance for other substances.

4. **Methods of intervention for suspected alcohol and drug problems.** Alcohol and substance abuse is a complicated problem calling for specialized supervision and care. Don't make excuses for a person who you think has an alcohol or drug abuse problem; don't do their work for them; don't look the other way. The problem is not going to go away. Don't help them to continue their alcohol or drug abuse.

Leave the treatment and counseling of persons with an abuse problem to professionals. The person with a problem must be evaluated by a professional, such as a physician, psychologist, other person with knowledge of abuse and clinical experience in the diagnosis and treatment of alcohol and drug related disorders.

5. **Additional information.** The City's health insurance policy may include certain coverage for alcohol and substance abuse. Contact the City's health insurance provider for more information. For information on where to find treatment for alcohol and other drug problems, a good place to look is in the Yellow Pages under "Alcoholism Information" or "Drug Abuse and Addiction Information." Usually there is a listing of the nearest Council on Alcoholism (or Council on Alcohol and Drug Abuse). These Councils provide information over the phone on the availability of the nearest alcohol treatment programs. Alcoholics Anonymous and Narcotics Anonymous may also be listed. Both offer help in coping with alcohol and drug abuse.

## **ACKNOWLEDGMENT AND RECEIPT**

I have received a copy of the City of Louisville's CDL Drug and Alcohol Testing Policy and Procedure and understand that in order to continue my employment with the City of Louisville, I must abide by the terms of this policy.

I also verify that I have received information on the affects of alcohol and controlled substances on my health, work and personal life, signs and symptoms of a problem and available methods of intervening when a problem is suspected.

I understand that this policy in no way modifies my status as an at-will employee and in no way implies, infers, or guarantees my continued employment for any definite term and that and that my employment may be terminated at the discretion of the City without cause or for other reasons than failing to follow the terms of this policy.

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**Employee**

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**Date**

## **Cell Phones and Pagers – Effective June 1, 2009.**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*
- *Part-Time Employees*

### **Background and Intent**

The responsibilities of some positions make having a cell phone an important tool to maintain productivity. However, the monitoring and record keeping required to comply with IRS regulations applicable to City-owned cell phones is burdensome and expensive. For this reason, the City minimizes the number of City-owned cell phones issued to employees. Instead the City provides a stipend to employees who must have a cell phone to do their work. Accordingly, this policy is intended to:

- Ensure that employees are fairly compensated for the additional costs they must incur because of the required business use of their personal cell phone
- Minimize the City's cost and administrative burden associated with acquiring, maintaining and monitoring the use of City-owned cell phones
- Avoid the unnecessary expense, resource use and inconvenience that would occur if the City required employees to carry a cell phone dedicated strictly to business use when they already have a personal cell phone
- Give employees the flexibility they need to choose a cell phone and service plan that fits their individual needs
- Provide clear criteria for explaining and documenting the City's expense associated with cell phones to address questions that auditors, the public or the media may have.

### **Cell Phone Stipends**

The majority of City employees own a personal cell phone and the City does not compensate anyone for the occasional use of their personal cell phone for business purposes. However, Department Directors shall identify each position for which the job responsibilities of the position make a cell phone (1) an important tool to maintain productivity, (2) required to respond to emergency calls in a timely manner, or (3) important to maintain the employee's safety because their position requires significant unsupervised time in the field. For each position that satisfies one or more of these conditions, the Department Director and the employee shall complete a Cell Phone Agreement and submit it to the City Manager for consideration. The Agreement must include an explanation of how using a cell phone would increase the employee's productivity or why it is required for emergency response or important for safety reasons. The Agreement must also include the cell phone number and an explanation

demonstrating what category of stipend is appropriate for the position. The categories shall be selected from the following:

- Category 1 – Intermittent voice or text service. This category is applicable for positions with job responsibilities that require consistently more than 50 cell minutes or 25 text messages per month for City business, or where emergency response is required or for safety reasons. The stipend is **\$15 per month.**
- Category 2 -Regular voice or text service. This category is applicable for positions with job responsibilities that consistently require more than 200 cell minutes or 100 text messages per month for City business. The stipend is **\$30 per month.**
- Category 3 – Mobile email access. This category is applicable for positions with job responsibilities that require mobile email access as a result of regular travel or because maintaining timely email response is critical to the City. The stipend is **\$35.00 per month.**
- Category 4 – Extensive voice service. This category is applicable for positions with the job responsibilities that require consistently more than 450 cell minutes per month for City business. The stipend is **\$45 per month.**

Employees should choose a cell phone plan that provides sufficient minutes and/or text messages to accommodate anticipated personal and business use without incurring overage charges. Should an employee incur an exceptional amount of expense based on unique City business-related circumstances, he/she may request additional reimbursement for the “exceptional” business expenses through normal employee reimbursement procedures.

Employees receiving a stipend under a Cell Phone Agreement are personally responsible for:

- purchase of equipment,
- regular and reasonable use of cell phone for City business during working hours and non-working hours based on City business needs,
- payment of bills and charges,
- account set up,
- applicable taxes,
- keeping personal use to a minimum during business hours.

Under IRS rules, cell phone stipends are considered a taxable benefit and will be included in the employee’s W-2. Also, because a stipend is based on position requirements, if the employee changes positions or changes cell phone numbers, the Department Director and employee must submit a new Cell Phone Agreement for the new position.

### **City-Owned Cell Phones**

There are some instances where it is necessary for the City to provide a City-owned cell phone for the employee to use. In some cases a City-owned cell phone is made available to multiple users within the department and “checked-out” as needed. In other cases, City-owned cell phone is used exclusively by or assigned to a specific individual. In either case, a City-owned cell phone must be

used exclusively for City business in accordance with the City's policies concerning use of phones, computers, and other information technology.

In order to comply with IRS rules, the Finance Department will send to each department a copy of the bills for all of that department's City-owned cell phones. Supervisors must review and approve the phone bill for each City-owned cell phone assigned to the positions they supervise and each employee who is issued a City-owned cell phone for their exclusive use must review and approve the phone bill for that phone. Supervisors must return the approved bill to the Finance Department for processing.

City-owned cell phones should be used exclusively for City business. If, however, an employee must use a City-owned cell phone to make a personal call, the employee must identify any such calls on the monthly bill and reimburse the City for the fair value of those calls as determined by the Finance Department. Failure to do so will result in disciplinary action.

**Finance Department Administers Cell-Phone Contracts.** The Finance Department is the main contact with the service provider for any additions, changes or deletions of City-owned cell phone or pager services. Employees shall neither contact nor sign agreements on behalf of the City for City cell phone or pager service agreements. Requests for service changes shall be processed by the Finance Department after they are approved by the Department Director.

Lost or stolen equipment shall be reported to the Finance Department immediately. The Finance Department will attempt to obtain replacement cell phones or pagers within 48 hours. If the equipment is lost or misplaced more than once, the cost of replacing that equipment may be deducted from the employee's pay. Proper care of City equipment is required at all times.

**Use Cell Phones Safely.** All users are strongly discouraged from using cell phones or other handheld devices while driving or operating motorized equipment except in emergency situations. Instead, users are encouraged to pull over to the side of the road and/or shut down machinery until the call has been completed.

**Cell Phone Numbers Are Published Internally.** City cell phone and pager numbers and personal cell phone numbers covered by a Cell Phone Agreement are published on the City's internal phone number listing.





### **Tuition Reimbursement Policy**

*Eligible employment status:*

- *Full-Time Employees*
- *Benefited Part-Time Employees*

The purpose of the Tuition Reimbursement program is to provide educational assistance and opportunities for employees who wish to further their education and enhance their skills to better perform their job.

Positive consideration for your participation in the program will generally be given if your immediate supervisor deems your current job performance to be satisfactory, your department director approves, and funds are available. Funding is centralized through the Human Resources budget and is available on a first-come, first serve basis. If you are interested in taking an educational course, you should complete the Request for Tuition Assistance form, and obtain advance approvals from your supervisor, Department Director, and the Human Resources Manager in order to ensure reimbursement funds are available.

To be eligible for educational assistance you must have satisfactorily completed one year of service prior to the start of any course of instruction. The City will not reimburse you for courses taken if you terminate your employment prior to the end of the semester or course of study. Study and class attendance must be accomplished during non-working hours, unless arrangements to change your work schedule are made in advance, and with your department director's approval.

All Courses must be taken at an accredited college, university or adult education center, or an accredited Internet or distance learning institution. Tuition Reimbursement is available on a first-come, first-serve basis and pre-approval helps to ensure funds are available for reimbursement once the class(es) has been successfully completed.

You must sign the form, as this indicates your responsibility to inform the city if you receive financial assistance from any other source, including Workers' Compensation, Vocational Rehabilitation, the G.I. Bill, etc. to ensure that you receive no more than 100% reimbursement.

After the class has been successfully completed, you must submit all receipts

and your final grade to Human Resources. At that time, your request will be processed for payment. The amount of reimbursement is dependent upon the grade that was received, the funding available, and the criteria below. Tuition reimbursement based upon receiving an "A", "B" or "C" grade for each course. No tuition reimbursement is available for any other grade. If there is not a letter grade, a certificate of completion is sufficient for full reimbursement.

The following is the reimbursement schedule for education assistance:

- **Tuition reimbursement for up to three courses per calendar year**
- Tuition reimbursement of up to \$100 per credit hour.
- Reimbursement for fees of up to \$150 per course.
- Reimbursement for books of up to \$100 per course.
- Reimbursement for Lab fees of up to \$100 per course.

# **City of Louisville User Security Policy Guide**

**Version 1.2**  
**February 1, 2007**

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## Introduction

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The City of Louisville manages information technology security with an emphasis on confidentiality, integrity, and availability. Ensuring confidentiality means keeping all data private from unauthorized individuals or systems. Integrity is the assurance that only appropriate individuals can modify existing data. Finally, availability is achieved with infrastructure that provides reliable accessibility and performance. The City's comprehensive approach to security is focused on protecting each of these key security components.

This document details the City of Louisville's policy on security awareness and compliance as it relates to internal users. This policy applies to all resources that are owned, leased, or used by the City.

For the purposes of this policy, employees include contractors and part-time employees, volunteers as well as full-time staff.

This policy has been developed in an effort to support the City's business objectives and as a way to reduce losses associated with intentional or accidental information disclosure, modification, destruction, or denial of service. All users are responsible for knowing and complying with all components of this policy and must agree to them by signature. Nothing in this policy should be interpreted as limiting the rights and authority of law enforcement criminal or internal affairs investigation.

Questions about the policy should be directed to the City's IT department head.

## 1.0 Virus Protection

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### 1.1 Foundation

Viruses, worms, and Trojan horses are designed to infect, control, and damage computers and networks. They are discovered daily, and each is designed to serve a unique function or purpose. Viruses can spread from a disk, over the network, via email, or in a file, and they can do anything to a system from changing or deleting files to attacking other systems. The purpose of this section is to minimize the risk of these types of threats to City of Louisville workstations, laptops, and servers.

Virus protection software must be installed and maintained on all systems connected to the City of Louisville network.

### 1.2 Requirements

- **1.2.1:** The IT department will install and maintain virus protection software on all machines.
- **1.2.2:** Never open any files or macros attached to an email from an unknown, suspicious, or untrustworthy source. Users should delete these attachments immediately, then "double delete" them by emptying their Trash.
- **1.2.3:** Delete spam, chain, and other junk email without forwarding.
- **1.2.4:** Never download files from unknown or suspicious sources.
- **1.2.5:** Avoid direct disk sharing with read/write access unless there is a business requirement to do so.
- **1.2.6:** Always scan a floppy diskette for viruses before using it.
- **1.2.7:** Contact the IT department if a virus has been detected.

## 2.0 Acceptable Use / Allowed Services

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### 2.1 Foundation

This section outlines acceptable use of City of Louisville computing resources, which include resources that are owned, leased, or used by the City. Inappropriate use exposes the City to risks including virus attacks, compromise of network systems and services, additional cost, and legal issues. These rules are in place to protect the City and its employees, as well as its constituents, contractors, vendors, and agents.

### 2.2 Requirements

#### 2.2.1 General Use and Ownership

- **2.2.1.1:** All information technology resources, including but not limited to computer equipment, software, Operating Systems, storage media, network accounts providing email, network browsing, and file transfer, are the property of the City of Louisville. These systems are to be used for business purposes in serving the interests of the City, and of the City's constituents in the course of normal operations.
- **2.2.1.2:** Data jack access is restricted to City of Louisville employees unless approved by IT staff.
- **2.2.1.3:** Employees are not permitted to install or enable additional software, hardware, or services in their environment without the approval of their supervisor. For example, installing a multi-player network game is not permitted due to the possible security implications of such an activity. Supervisors are responsible for consulting with the IT staff for any necessary clarification in this area.
- **2.2.1.4:** Employees should be wary of solicitations by external people and programs to install or activate new functionality on their systems. "Download and install now?" pop-up boxes and the like should not be used without authorization from an employee's supervisor.
- **2.2.1.5:** The City recommends that users refrain from storing sensitive or vulnerable information on their computers, unless it is encrypted. For guidelines on encrypting email and documents, users should consult the IT department.
- **2.2.1.6:** For security and network maintenance purposes, authorized individuals within the City of Louisville may monitor equipment, systems, and network traffic at any time.
- **2.2.1.7:** The City reserves the right to audit networks and systems.
- **2.2.1.8:** The City's voice mail system is intended for transmitting business-related information. The City reserves the right to access and disclose all messages sent over the voice mail systems for any purpose.
- **2.2.1.9:** The City of Louisville does not currently support the use of PDAs, palmtops, or similar hand-held personal computers. Such devices may be installed on City computers with preauthorization from the IT department; however, no ongoing support for these devices will be provided by the IT staff.

#### 2.2.2 Personal Use

- **2.2.2.1:** Internet service is provided to City of Louisville employees with the understanding that it is intended for City business purposes. Personal use of the Internet is allowed on a limited basis and with the following guidelines:
  - Before or after work.
  - Limited to 30 minutes per day (timed in 5-minute increments) or less during scheduled work time.
  - Must not disrupt the operation of the City network or networks of other users.
  - Must not interfere with the employees' productivity.
  - No one may solicit, promote, or advertise any outside organization, product, or service through the use of electronic mail or anywhere else on City premises at any time.
- **2.2.2.2:** The City prohibits the display, transmittal, or downloading of material that is in violation of the City of Louisville guidelines or material that is otherwise offensive, pornographic, obscene, profane, discriminatory, harassing, insulting, derogatory, or unlawful.

- **2.2.2.3:** If employees have questions about what personal use might be considered appropriate, they should contact their supervisor. Supervisors are responsible for contacting the IT staff to make an informed decision on any new issues.

### **2.2.3 Unacceptable Use**

The following activities are prohibited; however, employees may be exempted from these restrictions during the course of their legitimate job responsibilities (e.g., system administration staff may have a need to disable the network access of a host if that host is disrupting production services).

City of Louisville employees shall not engage in any activity that is illegal while utilizing City of Louisville-owned resources.

The lists below are by no means exhaustive, but they attempt to provide a framework for activities that fall into the category of unacceptable use.

#### **2.2.3.1 System and Network Activities**

The following activities are strictly prohibited:

- **2.2.3.1.1:** Violating the rights of any person or company protected by copyright, trade secret, patent or other intellectual property, or similar laws or regulations, including, but not limited to, the installation or distribution of “pirated” or other software products that are not appropriately licensed for use by the City.
- **2.2.3.1.2:** Unauthorized copying of copyrighted material including, but not limited to, digitization and distribution of photographs from magazines, books or other copyrighted sources, copyrighted music, copyrighted video, and the installation of any copyrighted software for which the City or the end user does not have an active license.
- **2.2.3.1.3:** Exporting software, technical information, encryption software, or technology in violation of international or regional export control laws. Users should consult the IT staff prior to exporting any material in question.
- **2.2.3.1.4:** Intentionally introducing malicious programs into the network or server (e.g., viruses, worms, Trojan horses, email bombs, etc.).
- **2.2.3.1.5:** Revealing an account password to others or allowing use of an account by others. This includes family and other household members when work is being done at home.
- **2.2.3.1.6:** Attempting to make a network connection to a host in a vendor or affiliate’s network that is not specifically required for City of Louisville business.
- **2.2.3.1.7:** Making fraudulent offers of products, items, or services originating from any City of Louisville account.
- **2.2.3.1.8:** Making statements about warranty, express or implied, unless it is a part of normal job duties.
- **2.2.3.1.9:** Effecting security breaches or disruptions of network communication. Security breaches include, but are not limited to, accessing data of which the employee is not an intended recipient or logging in to a server or account that the employee is not expressly authorized to access, unless these duties are within the scope of regular duties. For purposes of this section, “disruption” includes, but is not limited to, network sniffing, ping floods, packet spoofing, denial of service, and forging routing information for malicious purposes.
- **2.2.3.1.10:** Engaging in any activity intended to be retaliatory toward another employee, management, a vendor, constituent, or any outside party.
- **2.2.3.1.11:** Port scanning or security scanning of City of Louisville systems, vendor systems, or of any third-party systems.
- **2.2.3.1.12:** Executing any form of network monitoring that will intercept data not intended for the employee’s host, unless this activity is a part of the employee’s normal job duties.
- **2.2.3.1.13:** Circumventing user authentication or security of any host, network, or account.
- **2.2.3.1.14:** Interfering with or denying service to any user other than on the employee’s host (for example, denial of service attack).
- **2.2.3.1.15:** Using any program/script/command, or sending messages of any kind, with the intent to interfere with, or disable, a user’s terminal session, via any means, locally or via a network.

- **2.2.3.1.16:** Providing any information about, or lists of, City of Louisville employees, constituents, or vendors to parties outside the organization.
- **2.2.3.1.17:** Using City of Louisville resources for business purposes not related to the City (e.g., hobby businesses, home businesses, personal businesses, or work for other companies).

## 3.0 Physical Security

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### 3.1 Foundation

There are several types of physical security risks inherent in the City of Louisville's environment. Direct, physical access to a server provides multiple opportunities for an attacker to circumvent system and network access controls. Unattended or unaudited physical network access presents a number of opportunities for unauthorized information access and exposure. Additionally, environmental concerns such as excessive heat and moisture can damage or destroy systems and data.

### 3.2 Requirements

- **3.2.1:** Sensitive areas and systems will require access tokens, such as proximity cards, to gain access. Entry and exit time logs will be reviewed in the event of an investigation.
- **3.2.2:** Access will be granted only to authorized personnel. Access will be revoked upon inappropriate use, security breach, or employee termination.
- **3.2.3:** Unauthorized personnel are not allowed entry to City of Louisville offices, communications and utility facilities, data centers, etc. Non-City of Louisville parties performing maintenance on facilities must be escorted and monitored by City of Louisville staff. Additionally, resources that are not exclusively owned or operated by the City of Louisville, such as shared telco entrance facilities, require escort and monitoring by City of Louisville staff. All non-City of Louisville parties must have a work plan approved by the IT staff prior to commencing work.
- **3.2.4:** Unused/inactive network connections will remain in a restricted-access state. Areas such as conference rooms and community access areas should also have network connections restricted when not in use. Activation of restricted ports must be approved by the IT staff. Restricted ports will have Internet access only.
- **3.2.5:** Access to community access terminals, such as kiosks, will be isolated from the City of Louisville internal network. Network access granted to the terminals should only remain active during periods of supervision by City of Louisville staff, i.e., business hours.

## 4.0 Authentication

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### 4.1 Foundation

As the front line of protection for user accounts, passwords are an important aspect of IT security. Passwords are used for various purposes at the City of Louisville. A poorly chosen password may result in the unexpected compromise of elements of the City of Louisville's network. As such, all City of Louisville employees (including contractors and vendors with access to City of Louisville systems) are responsible for taking the appropriate steps, as outlined below, to select and secure their passwords.

- **4.1.1:** All accounts, including accounts within major applications, must have a password.
- **4.1.2:** All passwords (e.g., email, web, desktop computer, etc.) must be changed at least every 120 days.
- **4.1.3:** User accounts that have system-level privileges granted through group memberships or other privilege-conveyance programs must have a unique password from all other accounts held by that user.
- **4.1.4:** Passwords must not be inserted into email messages or other forms of electronic communication.
- **4.1.5:** Passwords must be documented and stored in a secure manner.



- **4.1.6:** All passwords must conform to the strong password requirements described below.

## 4.2 Requirements

### 4.2.1 General Password Construction Requirements

- **4.2.1.1:** Strong passwords have the following characteristics:
  - Contain both upper and lower case characters (e.g., a-z, A-Z).
  - Have digits and punctuation characters as well as letters e.g., 0-9, !@#\$%^&\*()\_+|~-=\`{}[]:"';<>?.,/).
  - Are at least eight alphanumeric characters long.
  - Are not words in any language, slang, dialect, jargon, etc.
  - Are not based on personal information, names of family, etc.
- **4.2.1.2:** Poor, weak passwords have the following characteristics:
  - The password contains fewer than eight characters.
  - The password is a word found in a dictionary (English or foreign).
  - The password is a common usage word such as:
    - Names of family, pets, friends, co-workers, fantasy characters, etc.
    - Computer terms and names, commands, sites, companies, hardware, or software.
    - The words “City of Louisville” or any derivation.
    - Birthdays and other personal information such as addresses and phone numbers.
    - Word or number patterns such as aaabbb, zyxwvuts, 123321, etc.
    - Any of the above spelled backwards.
    - Any of the above preceded or followed by a digit (e.g., secret1, 1secret).
- **4.2.1.3:** Passwords should never be written down or stored online. Try to create passwords that can be easily remembered. One way to do this is create a password based on a song title, affirmation, or other phrase. For example, the phrase might be: “This May Be One Way To Remember” and the password could be: “TmBlw2R!” or “TmbIW>r~” or some other variation.  
Note: Do not use either of these examples as passwords!

### 4.2.2 Password Protection Standards

- **4.2.2.1:** Users should not have the same password for City of Louisville accounts as for non-City of Louisville accounts (e.g., personal ISP account, benefits, etc.).
- **4.2.2.2:** Users must not share City of Louisville passwords with anyone, including administrative assistants or the IT staff. All passwords are to be treated as sensitive, confidential information.
- **4.2.2.3:** The following “do not” list applies to all users:
  - Do not write down your password.
  - Do not reveal a password over the phone.
  - Do not reveal a password in an email message.
  - Do not talk about a password in front of others.
  - Do not hint at the format of a password (e.g., “my family name”).
  - Do not reveal a password on questionnaires or security forms.
  - Do not share a password with family members.
  - Do not reveal a password to co-workers.
  - Do not store passwords on any computer system (including PDAs or similar devices) without being encrypted.
- **4.2.2.4:** If someone demands a password, refer him to this document or have him contact the IT staff.
- **4.2.2.5:** Users should not use the “Remember Password” feature of applications (e.g., Microsoft Outlook).
- **4.2.2.6:** Users are required to change passwords at least once every 120 days.
- **4.2.2.7:** If an account or password is suspected to have been compromised, report the incident to the IT staff and change all passwords.

## 5.0 Ongoing Vigilance

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### 5.1 Foundation

The overall security of the City of Louisville, its assets, and ultimately each employee's position requires daily attention from every member of the staff. The most important thing users can do for the City's computer security is to remain vigilant and aware of security issues.

### 5.2 Requirements

In the City of Louisville environment, users should consider the following activities particularly suspicious and contact the IT department:

- Anyone asking for their username and password — ever.
- Email attachments from any user outside the City of Louisville, especially generic messages or attachments with file types other than those they're familiar with.
- Strange files on their computer or the server.
- Strange files or programs on servers.
- Unusual or inconsistent log entries.
- Unexpected application or server failure.
- Significant changes in performance, response time, or usability.

## 6.0 Exception Handling

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### 6.1 Foundation

The key to effective security is to set policy that can be achieved, and to ensure compliance with that policy. The City of Louisville exception handling committee will review and maintain all policy exception requests.

### 6.2 Requirements

- **6.2.1:** All policy exceptions must be reviewed by the City's IT department head and IT staff.
- **6.2.2:** Exceptions must be submitted in writing.
- **6.2.3:** The IT department head and IT staff must approve or deny the policy exception request, and document the decision in writing.
- **6.2.4:** The IT department head and IT staff must annually review all previously granted exceptions and determine whether they still need to stand.
- **6.2.5:** Policy exceptions that have been granted must be available to the appropriate IT staff for viewing and consideration.
- **6.2.6:** The IT department head and IT staff must carefully balance security regulations, risk management, and precedent setting when granting policy exceptions.
- **6.2.7:** Policy exceptions must be only granted based on business need.
- **6.2.8:** Policy exceptions not approved by the IT department head and IT staff will be considered noncompliance and may be subject to disciplinary action.

## 7.0 Email Handling / Restrictions

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### 7.1 Foundation

This section establishes the City of Louisville's terms of the use of email for electronic communications.

The use of email at the City of Louisville is intended as a business tool. It serves as a fast, efficient way to communicate, and it can be used as an appropriate substitute for face-to-face meetings, telephone calls, or internal memorandums. Email should be treated like any other company record.

### **7.1.3 Email and Confidential Information**

Because email is the electronic equivalent of a postcard and anyone can read its contents along the delivery route, the City requires users to follow certain steps when sending confidential information via email. Confidential information must be encrypted before being sent to users inside or outside of the City network. The use of encryption will be consistent with the City's standards. Users should consult the IT department for information on encryption.

City of Louisville email will not be automatically forwarded to an external destination without approval from the Head of IT. Confidential information will not be forwarded via any means.

Any request for confidential information shall be digitally signed and that signature verifiable. Users transmitting confidential information will digitally sign the message to demonstrate validity and traceability to the recipient. The use of digital signatures will be performed in accordance with the City's encryption standards.

## **7.2 Requirements**

- **7.2.1:** Do not forward chain letters.
- **7.2.2:** Do not send messages of a hateful, harassing, or threatening nature.
- **7.2.3:** Do not send messages that support illegal or unethical activities.
- **7.2.4:** Do not send messages of a religious nature.
- **7.2.5:** Do not engage in unauthorized use, or forging, of email header information.
- **7.2.6:** Do not solicit email for any other email address, other than that of the poster's account, with the intent to harass or collect replies.
- **7.2.7:** Do not send unsolicited email originating from within the City's networks of other Internet/intranet/extranet service providers on behalf of, or to advertise, or to slander, any service hosted by the City of Louisville or connected via the City's network.
- **7.2.8:** Remember that email is the electronic equivalent of a postcard and that it should not be used to transmit sensitive information unless that information is encrypted.
- **7.2.9:** City emails must be addressed with an IT-approved email signature that only includes name, title, and contact information.
- **7.2.10:** Postings by employees from a City of Louisville email address to newsgroups, chat rooms, or other broadcast methods should only be made in the course of business duties, and they should contain a disclaimer stating that the opinions expressed are strictly their own and not necessarily those of the City.

## **8.0 Information Sensitivity**

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### **8.1 Foundation**

This section is intended to help City of Louisville employees determine appropriate methods of handling electronic representations of sensitive information. The definition of what is not to be disclosed to the public is determined by the Louisville City Charter and Colorado statutes.

The information covered in these guidelines includes, but is not limited to, information that is either stored or shared via any electronic means.

Please Note: The impact of these guidelines on daily activity should be minimal.

Questions about the proper classification of a specific piece of information should be addressed to the City Clerk's office. Questions about these guidelines should be addressed to your department head.

## 8.2 Requirements

The requirements below provide details on how to protect sensitive or confidential information; more or less stringent measures of protection may be required depending on the circumstances or the type of information.

- **8.2.1 Access:** Only those individuals (City of Louisville employees and non-employees) designated with approved access.
- **8.2.2 Distribution within City of Louisville:** Approved electronic file transmission methods.
- **8.2.3 Distribution outside of City of Louisville:** Unencrypted electronic distribution of sensitive or confidential information is not recommended.
- **8.2.4 Storage:** Individual access controls are highly recommended for electronic information. Physical security is generally used, and information should be stored in a physically secured computer.
- **8.2.5 Disposal/Destruction:** Strongly encouraged: In specially marked disposal bins on City of Louisville premises; electronic data should be expunged/cleared. Reliably erase or physically destroy media.
- **8.2.6 Penalty for deliberate or inadvertent disclosure:** For illegal acts, employees will be terminated and may be prosecuted. For violations of policy, employees may be terminated and are subject to civil action if the City of Louisville is harmed by the improper disclosure of information.

## 9.0 Application Installation

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### 9.1 Foundation

Each application installed on a City of Louisville computer measurably increases the risk of a security incident on the City's network. Because every application requires hours of maintenance to keep up to date, the City's IT department can support only certain applications. Some applications actually create serious risk to the security of the City's network and are explicitly disallowed.

All systems connected to the City of Louisville network must run only supported operating systems, software, and hardware. Users should contact the IT department if they need to install or use unsupported operating systems, software, or hardware.

### 9.2 Requirement

Users must contact the IT department before installing any applications on their computers.

## 10.0 Glossary

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<b>3DES encryption</b>	A block cipher formed from the Data Encryption Standard (DES) cipher by using it three times.
<b>802.11</b>	IEEE 802.11, the Wi-Fi standard, denotes a set of Wireless LAN/WLAN standards developed by working group 11 of the IEEE LAN/MAN Standards Committee (IEEE 802). The term 802.11x is also used to denote this set of standards; 802.11b was the first widely accepted wireless networking standard, followed by 802.11a and 802.11g.
<b>AES encryption</b>	Encryption using the Advanced Encryption Standard.
<b>Asymmetric cryptosystem key</b>	Also known as public-key cryptography. A system that requires one key for encryption and a different key for decryption. A user sends out his encryption key (public key) to allow other users to send him encrypted messages. He uses his decryption key (private key) to decrypt the messages he receives.
<b>Blowfish encryption</b>	A keyed, symmetric block cipher used for encryption.
<b>Cable modem</b>	A modem designed to operate over cable TV lines, which provide much greater bandwidth than telephone lines and therefore allow for much faster Internet access speeds.
<b>CDPD</b>	Stands for Cellular Digital Packet Data, a data transmission technology developed for use on cellular phone frequencies. CDPD uses unused cellular channels in the 800- to 900-MHz range to transmit data in packets, offering data transfer rates of up to 19.2 Kbps, quicker call setup, and better error correction than using modems on an analog cellular channel.
<b>Denial of service attack</b>	A type of attack on a network that is designed to bring the network down by flooding it with useless traffic.
<b>DES encryption</b>	Encryption using the Data Encryption Standard.
<b>Digital signature</b>	A digital code that can be attached to an electronically transmitted message that uniquely identifies the sender. Like a written signature, the purpose of a digital signature is to guarantee that the individual sending the message really is who he claims to be.
<b>DSL</b>	Stands for Digital Subscriber Line. A technology for bringing high- bandwidth information to homes and small businesses over ordinary copper telephone lines.
<b>DSSS</b>	Stands for direct-sequence spread program. One of two types of spread spectrum radio, often used for “wireless broadband” connections.
<b>Email bomb</b>	A type of denial-of-service attack in which a person’s email address is flooded with messages until the computer crashes. It usually involves subscribing the victim to thousands of mailing lists.
<b>Encryption</b>	The translation of data into a secret code. Encryption is the most effective way

to achieve data security. Reading an encrypted file requires access to a secret key or passphrase that enables decryption.

<b>Executable file</b>	A file that contains computer instructions in a form that it can act upon. Unlike source files, executable files cannot be read by humans. To transform a source file into an executable file, it needs to be passed it through a compiler or assembler.
<b>Forged Routing Information</b>	Routing information that has been falsely inserted into the network, much like an impersonator.
<b>IDEA encryption</b>	Encryption using the International Data Encryption Algorithm.
<b>IPSec</b>	Short for IP Security, a set of protocols developed by the IETF to support secure exchange of packets at the IP layer. IPSec has been deployed widely to implement Virtual Private Networks.
<b>ISDN</b>	Stands for integrated services digital network, an international communications standard for sending voice, video, and data over digital telephone lines or normal telephone wires.
<b>LAN</b>	Stands for Local Area Network, a computer network that spans a relatively small area such as a single building or group of buildings.
<b>LEAP</b>	Stands for Lightweight Extensible Authentication Protocol, a proprietary wireless LAN authentication method developed by Cisco Systems.
<b>LDAP</b>	Stands for Lightweight Directory Access Protocol, a set of protocols for accessing information directories.
<b>Network sniffing</b>	Use of a sniffer, a device attached to a network that monitors data traveling over that network, for an unauthorized purpose such as intercepting passphrases. A sniffer consists of a hardware device that records data and a software program that interprets the data.
<b>Pass-Through Authentication</b>	Enables users to sign-on to their intranet and access other web applications without being asked for their login credentials again; also referred to as single sign-on.
<b>Packet spoofing</b>	Creating false packet content with the specific intent to violate security measures.
<b>PDA</b>	Stands for Personal digital assistants, handheld devices that were originally designed as personal organizers, but now commonly are also phones that can also connect to the Internet.
<b>Ping flood</b>	A type of denial-of-service attack in which the network interface is flooded, forcing it to crash and automatically reboot, thus dropping all connections. Until the rebooting process is complete, all services will be unavailable.
<b>Privilege conveyance program</b>	A program that grants special rights or access to a user, such as those held by the "Administrator" (Windows) or "root" (Unix/Linux) accounts.
<b>RC5 encryption</b>	A block cipher that has a variable block size (32, 64 or 128 bits), key size (0 to 2040 bits), and number of rounds (0 to 255).

<b>RSA encryption</b>	An algorithm for public-key encryption.
<b>SSH</b>	Stands for Secure Shell (SSH), sometimes known as Secure Socket Shell. A Unix-based command interface and protocol for securely getting access to a remote computer. It is widely used by network administrators to control Web and other kinds of servers remotely. SSH is actually a suite of three utilities - slogin, ssh, and scp - that are secure versions of the earlier network utilities, rlogin, rsh, and rcp.
<b>Security breach</b>	Any unauthorized access to an organization's computing resources, for example using someone else's username and passphrase or exploiting a defect in a system's security to modify files on a server.
<b>Software patch</b>	A temporary fix to a program bug. A patch is an actual piece of object code that is inserted into (patched into) an executable program.
<b>Symmetric cryptosystem key</b>	A shared secret key used by the sender and receiver of an encrypted item. Examples of this type of encryption system include AES, DES, RC5, IDEA, and Blowfish.
<b>Trojan horse</b>	A piece of malicious software embedded in some "normal" piece of software, designed to fool the user into thinking that it is benign.
<b>Twofish encryption</b>	A symmetric key block cipher with a block size of 128 bits and key sizes up to 256 bits; related to the earlier block cipher Blowfish.
<b>User authentication</b>	The process of determining whether a user is, in fact, who he claims to be. In private and public computer networks (including the Internet), authentication is commonly done through the use of logon passphrases.
<b>VPN</b>	Stands for Virtual Private Network. A means by which certain authorized individuals (such as remote employees) have secure access to an organization's intranet via an encrypted point-to-point connection.
<b>Virus</b>	A string of computer code that attaches itself to another computer program; once attached, it replicates by using the program's resources to make copies of itself and attach them to other programs.
<b>Worm</b>	A program or algorithm that replicates itself over a computer network and usually performs malicious actions, such as using up the computer's resources and possibly shutting the system down.

# City of Louisville User Security Policy Guide

## 11.0 Acknowledgement

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I have read this policy and understand that violation of any the terms of this policy will be subject to administrative regulation.

\_\_\_\_\_  
Name (Please Print)

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date





## City of Louisville Volunteer Policy (August 2006)

### **Policy**

The City will conduct criminal background investigations on all persons 18 years of age and older who volunteer on behalf of the City in positions that deal with vulnerable populations such as children and senior citizens. Volunteer positions subject to background investigations include, but are not limited to, Library volunteers, Land Management volunteers, Recreation & Senior Services volunteers, and coaches or assistants for any sports program, such as hockey, soccer, or basketball. If the person has lived in Colorado for less than one year at the time of their application, the City will conduct additional background investigations in the state where the applicant previously resided. The City will conduct background investigations on returning volunteers on an annual basis.

Persons under the age of 18 years shall provide two adult, non-relative references for consideration by the City. Appropriate references may include teachers, neighbors, or previous or current employers.

A background investigation shall be completed and cleared by Human Resources before the volunteer begins the volunteer position.

Background investigation reports are confidential and shall not be disclosed to the public unless the City is required by law to disclose the report. Human Resources shall maintain records of the background investigation reports.

### **Standards**

The City may reject a volunteer applicant or discharge a volunteer for any reason or no reason at all. The City may reject a volunteer applicant or discharge a volunteer if a background investigation reveals an arrest, conviction or pending charge for any the following:

- Sexual Assault on Adult or Child
- Domestic Violence Charge
- Crimes of Violence
- Any crime against at-risk adults or at-risk juvenile as prescribed by the Colorado Criminal Code
- Any crime involving a weapon
- Drug Charges
- Any pattern of criminal behavior
- Any pattern of DUI(driving under the influence) or DWAI (driving while ability impaired) related offenses
- Any other crime which, in the City's determination, would make the applicant or volunteer undesirable for the volunteer position



## **City of Louisville** **Volunteer Policy** (August 2006)

In addition, the City may reject a volunteer applicant or discharge a volunteer if the applicant or volunteer provides any material false information on volunteer application.

### **Communications**

Human Resources will contact the supervisor of the volunteer position to let them know the status of the background check. Either Human Resources or the supervisor will contact the volunteer regarding the City's determination to reject or discharge the applicant/volunteer. The City will provide any applicant or volunteer who is rejected or discharged as a result of a background investigation information on how to obtain the report and contact information for the reporting agency. Determinations to reject an applicant or discharge a volunteer as a result of the criminal background investigation report are final.

# **Appendix A**

## **City of Louisville Home Rule Charter**

## **City of Louisville Home Rule Charter**

For a complete copy of the City of Louisville Home Rule Charter, visit the City's web site at [www.louisvilleco.gov](http://www.louisvilleco.gov) and click on the "Government" tab and then on the "Home Rule Charter" option.

# **Appendix B**

## **Organization Charts**

## **Organization Charts**

Employees can obtain the most current Organization Charts in the City Share Drive under Z:\Administration\Organizational Charts.

# **Appendix C**

## **Public Involvement Policy**

## City of Louisville Public Involvement Policy

Public participation is an essential element of the City's representative form of government. To promote effective public participation City officials, advisory board members, staff and participants should all observe the following guiding principles, roles and responsibilities:

### Guiding principles for public involvement

- **Inclusive not Exclusive** - Everyone's participation is welcome. Anyone with a known interest in the issue will be identified, invited and encouraged to be involved early in the process.
- **Voluntary Participation** - The process will seek the support of those participants willing to invest the time necessary to make it work.
- **Purpose Driven** - The process will be clearly linked to when and how decisions are made. These linkages will be communicated to participants.
- **Time, Financial and Legal Constraints** - The process will operate within an appropriate time frame and budget and observe existing legal and regulatory requirements.
- **Communication** - The process and its progress will be communicated to participants and the community at-large using appropriate methods and technologies.
- **Adaptability** - The process will be adaptable so that the level of public involvement is reflective of the magnitude of the issue and the needs of the participants.
- **Access to Information** - The process will provide participants with timely access to all relevant information in an understandable and user-friendly way. Education and training requirements will be considered.
- **Access to Decision Making** - The process will give participants the opportunity to influence decision making.
- **Respect for Diverse Interests** - The process will foster respect for the diverse values, interests and knowledge of those involved.
- **Accountability** - The process will reflect that participants are accountable to both their constituents and to the success of the process.
- **Evaluation** - The success and results of the process will be measured and evaluated.



## **Roles and Responsibilities**

### **Council**

City Council is ultimately responsible to all the citizens of Louisville and must weigh each of its decisions accordingly. Councilors are responsible to their local constituents under the ward system; however they must carefully consider the concerns expressed by all parties. Council must ultimately meet the needs of the entire community—including current and future generations—and act in the best interests of the City as a whole.

During its review and decision-making process, Council has an obligation to recognize the efforts and activities that have preceded its deliberations. Council should have regard for the public involvement processes that have been completed in support or opposition of projects.

### **City Staff and Advisory Boards**

The City should be designed and run to meet the needs and priorities of its citizens. Staff and advisory boards must ensure that the Guiding Principles direct their work. In addition to the responsibilities established by the Guiding Principles, staff and advisory boards are responsible for:

- ensuring that decisions and recommendations reflect the needs and desires of the community as a whole;
- pursuing public involvement with a positive spirit because it helps clarify those needs and desires and also adds value to projects;
- in all public involvement activities fostering long-term relationships based on respect and trust;
- encouraging positive working partnerships;
- ensuring that no participant or group is marginalized or ignored;
- drawing out the silent majority, the voiceless and the disempowered; and
- being familiar with a variety of public involvement techniques and the strengths and weaknesses of various approaches.

## **All Participants (Proponents, Opponents, Public, Council, Advisory Boards and Staff)**

The public is also accountable for the public involvement process and for the results it produces. All parties (including Council, advisory boards, staff, proponents, opponents and the public) are responsible for:

- working within the process in a cooperative and civil manner;
- focusing on real issues and not on furthering personal agendas;
- balancing personal concerns with the needs of the community as a whole;
- having realistic expectations;
- participating openly, honestly and constructively, offering ideas, suggestions and alternatives;
- listening carefully and actively consider everyone's perspectives;
- identifying their concerns and issues early in the process;
- providing their names and contact information if they want direct feedback;
- remembering that no single voice is more important than all others, and that there are diverse opinions to be considered;
- making every effort to work within the project schedule and if this is not possible, discussing this with the proponent without delay;
- recognizing that process schedules may be constrained by external factors such as limited funding, broader project schedules or legislative requirements;
- accepting some responsibility for keeping themselves aware of current issues, making others aware of project activities and soliciting their involvement and input; and
- considering that the quality of the outcome and how that outcome is achieved are both important.

# **Appendix D**

## **Forms**

## Forms

Employees can obtain the most current forms related to payroll, benefits, travel, benefits, etc. in the Public Folders on the Outlook menu. Many forms can be filled out electronically and submitted electronically. The Human Resources Staff reviews the forms on a regular basis and adjusts them to become more user-friendly or to update them according to new laws and regulations.

The following forms can be found in **Public Folders/All Public Folders/HR/Forms**:

- 401/457 Employee Change Form
- 457 Amount of Deferral Change Form
- Accident Investigation Report
- Change of Address Form
- Comp Time Election Form
- Computer Loan Application
- Current Year W-4
- EFT – Direct Deposit Form – 4 Accounts
- EFT – Direct Deposit Form – Fraternal Order of Police (FOP)
- EFT – Direct Deposit Form – Health Savings Account (HSA)
- Life Insurance Beneficiary Change Form
- Outside Employment Authorization Form
- Supervisor's Preliminary Accident Report
- Timesheet
- Timesheet Guidelines
- Travel Forms
- Tuition Reimbursement Form

The following forms are not available in Public Folders due to the complexity of filling out the forms and the review process associated with the form. Please stop by the Human Resources Office to talk to one of the staff members who can assist you with the forms and the process:

- I-9 Form
- Background checking forms
- Computer Loan Agreement
- FMLA Forms
- Group Benefits Change Forms (i.e. Health, Dental, and Vision Forms)

# **Appendix E**

**Reserved for  
Future Use**

# **Appendix F**

## **Acknowledgement Form**



I, \_\_\_\_\_ am aware that the City of Louisville Personnel  
(print name)

Guidelines have been updated and become effective on July 18, 2009. I understand that I am responsible to become familiar with the contents of the Personnel Guidelines (handbook).

I understand that this handbook represents brief summaries of City policies, which are not all-inclusive, and are continually evaluated and may be amended, modified or terminated at any time without prior notice. Further, I understand that the contents of this handbook do not constitute an express or implied contract of employment.

I understand the most current version of the handbook is available electronically on the City's website and in Public Folders.

If I have questions regarding benefits or policies, I understand that I am encouraged to talk to my supervisor, manager, Department Director, or a member of the Human Resources Staff.

\_\_\_\_\_  
Employee Signature

\_\_\_\_\_  
Date

Please sign and return this page to the Human Resources Office by Monday, August 3, 2009.